

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Board of County Commissioners**

PH: Z12-085 (12-12-CZ10-1)

July 18, 2013

Item No. A

Recommendation Summary	
Commission District	11
Applicant	Julmar 147 Investment, LLC
Summary of Requests	The applicant is seeking a district boundary change from AU to RU-1M(a) to permit a private school and daycare and six (6) residential lots. A special exception to permit a private school, an unusual use to permit a daycare and non-use variances of setback and right-of-way requirements.
Location	Lying South of SW 15 <sup>th</sup> Street, between SW 145 <sup>th</sup> Ave and SW 147 <sup>th</sup> Ave, Miami-Dade County, Florida.
Property Size	2.34 acres
Existing Zoning	AU
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Low Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, <b>District Boundary Change</b> , Section 33-311(A)(3), <b>Special Exceptions, Unusual Uses</b> and New uses, Section 33-311(A)(4)(b) <b>Non-Use Variances</b> From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	<b>Approval of appeal, approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.</b>

On April 23, 2013, the Community Zoning Appeals Board (CZAB) #10, denied without prejudice the application.

On April 30, 2013, the appellants, Julmar 147 Investment, LLC, appealed the CZAB-10 decision to the Board of County Commissioners (BCC).

For the reasons outlined below in the CDMP and Zoning analysis of the requests and staff's recommendation, staff opines that the appellants' request for a reversal of the CZAB 10 decision should be approved.

**REQUESTS:**

REQUEST #1 ON PARCELS "1" & "2"

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

REQUESTS #2, #3, #4 & #5 ON PARCEL "1"

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a day nursery.

- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The applicant seeks to rezone a 2.34 acre parcel of land from AU, Agricultural to RU-1M(a), Modified Single Family Residential District and develop the site with a private school and daycare center and six residential lots.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
<b>Zoning and Existing Use</b>		<b>Land Use Designation</b>
<b>Subject Property</b>	AU; vacant	Low Density Residential (2.5 to 6 dua)
<b>North</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>South</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>East</b>	RU-1MA; vacant	Low Density Residential (2.5 to 6 dua)
<b>West</b>	RU-1MA; vacant	Environmentally Protected Park

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.34 acre site, located at the southeast corner of SW 15<sup>th</sup> Street between SW 147<sup>th</sup> Ave and SW 145<sup>th</sup> Ave. The subject property is surrounded by single-family residences, vacant land and an environmentally protected park.

**SUMMARY OF IMPACT:**

The approval of this application will allow the applicant to provide the community with additional educational services and housing in the area. The requested variances could have a minimal impact on traffic and a minimal visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as ***Low Density Residential*** on the Comprehensive Development Master Plan's (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. This



density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, which would result in the maximum development of 14 residential units on this 2.34 acre site. However, the requested RU-1M(a) zoning district would allow a density higher than six (6) units per acre, which would be *inconsistent* with the LUP map's density allowed without a covenant limiting the maximum number of units to no more than six (6) units per acre.

Therefore, the applicant has proffered a covenant restricting the development of the 2.34 acre parcel to a maximum of 6.0 dwelling units per gross acre, which is the maximum allowed under the density threshold of the LUP map. The applicant is proposing to develop 1.18 acres of the 2.34 acre parcel (Parcel 2) with six (6) single-family residences, which is less than the maximum of seven (7) units allowed on the 1.18 acre parcel. Therefore, the development of the site with the proffered covenant will be **consistent** with the density threshold of the LUP map of the CDMP.

The CDMP Education Element Objective EDU-3 discusses suitable sites for the development and expansion of public educational facilities. **Policy EDU-3A** provides that "it is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools". In accordance with said policy, the subject property, which proposes a private elementary school and daycare, is located approximately 0.55 miles south of the UDB, which runs east to west along SW 8 Street in this area of the County, and 1.0 mile east of the UDB, which runs north to south along SW 157 Avenue in this area of the County and therefore **consistent** with said policy.

The adopted Interpretive Text of the CDMP Land Use Element under Residential Communities states that neighborhood and community services including **schools**, parks, houses of worship, **daycare centers**, group housing facilities, and utility facilities are permitted only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Compatibility shall be determined in accordance to Policy LU-4A. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of the Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change and proposed educational use. Therefore, staff opines that for the reasons previously discussed the proposed requests with the proffered covenant restricting the development of the site to a maximum of 6.0 dwelling units per acre, are **consistent** with the *Low Density Residential* designation and the Land Use Element interpretative text for Residential Communities and compatible with the surrounding area based on the that Land Use Element Policy LU-4A compatibility criteria.

### **ZONING ANALYSIS:**

The site plans submitted indicate that a private school and daycare for 200 children is proposed on the west portion of the site (parcel #1) and six (6) single-family lots are proposed on the east portion of the site (parcel #2).

When request #1, to permit a district boundary change from AU to RU-1MA is analyzed under Section 33-311, District Boundary Change, staff is of the opinion that the approval of this request, with the proffered covenant restricting the development of the site to a maximum of 6.0 dwelling units per acre, will not have an unfavorable impact on the economy or on the environmental and natural resources of Miami-Dade County. Staff opines that the developments proposed by this application will not unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities nor unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways based on the memoranda from the Miami-Dade County Departments concerned with reviewing this application. Therefore, staff opines that approval of request #1 is **compatible** with the neighborhood development trend and would serve a public benefit warranting the approval of the application. Furthermore, staff is of the opinion that the proposed zone change to RU-1M(a) is **compatible** with the residential development trend as evidenced by the similar rezonings in the surrounding area. Specifically, the abutting properties to the north, east and south of the subject property were respectively rezoned from AU to RU-1M(a), from 2002 to 2006, pursuant to Resolutions #CZAB10-33-02, CZAB10-53-07, CZAB10-54-07 and CZAB10-77-05. **Staff therefore, recommends approval of request #1, subject to the board's acceptance of the proffered covenant under Section 33-311, District Boundary Change.**

When requests #2, Special Exception to permit a private school and daycare, and #3, Unusual Use to permit a daycare are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of said requests, with the proffered covenant including but not limited to restricting the development of the site in accordance with the site plan provided, would be **compatible** with the surrounding area. In staff's opinion, approval of the requested special exception and unusual use, which would allow the applicant to develop the site with a private school and daycare would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to create a fire or other equally or greater dangerous hazards, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Environmental Resources Management Division of the Department of Regulatory and Economic Resources and the Miami-Dade Fire Rescue Department. Further, said memoranda also indicates that the approval of said requests would not have negative noise, traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

Notwithstanding the foregoing, staff notes that the subject property abuts an Environmentally Endangered Land (EEL) property to the west, which was a part of the Tree Island Governmental Facilities approval pursuant to Resolution No. R-447-12 on June 5, 2012. EEL lands are typically maintained by the use of periodic ecological prescribed burning. The Florida Legislature passed the Prescribed Fire Act in 1990 to promote the importance of prescribed fire and to provide liability protection. As stated in the Environmental Resources Management Division of the Department of Regulatory and Economic Resources memorandum, such burning is generally performed once every three years and the subject property lies within the potential smoke dispersion corridor. However, staff opines that the site plan provided indicates that the school site has been designed with sensitivity to the abutting EEL property by locating the

playground/recreation area on the east portion of parcel #1 of the subject property, placing the school building in between the playground area and the EEL property. Staff recommends as a condition for approval, that the proposed private school and daycare keep the children indoors on the days that prescribed burns occur.

In addition, staff notes that although the proposed playground abuts residential properties to the east and south, it is adequately buffered by a proposed continuous hedge and row of trees. However, as a condition for approval staff recommends that the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties. In addition, the plans submitted indicate that the proposed private school and daycare will be properly accessible by public roads, streets or highways, specifically SW 15th Street and SW 147th Avenue. Furthermore, the parking lot, which exceeds the parking requirement by 15 parking spaces, is located on the south portion of the subject property with the ingress and egress access provided from SW 147<sup>th</sup> Avenue. The site plan also indicates the drop-off/pickup area along SW 15<sup>th</sup> Street. As such, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned, staff opines that the same are **compatible** with the surrounding area. **Therefore, staff recommends approval with conditions of requests #2 and #3, subject to the board's acceptance of the proffered covenant, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When requests #4, to permit the school setback 6' (25' required) from the side street (north) property line, request #5, to permit parking and drives within 25' of an official right-of-way (not permitted), and request #6, to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required) are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area.

Staff opines that requests #4, #5, and #6 are germane to the applicant's request to develop a private school and daycare (requests #2 and #3) on parcel #1. In staff's opinion, the proposed porte-cochere, which encroaches into the side setback area, will protect the children being dropped off from the elements and will add curb appeal to the subject property. Further, the main school building meets setback requirements and is located 26' from the side street property line. In addition, staff opines that the applicant's request to permit parking and drives within 25' of an official right-of-way will not have a negative visual impact on passersby along SW 15<sup>th</sup> Street. The submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact. Furthermore, staff opines that the reduced outdoor recreation area will not have a negative impact on the children or neighborhood given that the applicant will stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day. Consequently, staff opines that the proposed outdoor recreation area will adequately accommodate the children. As such, staff opines that the approval with conditions of these requests will not have a negative visual or aural impact on the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4, #5 and #6 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along SW 147<sup>th</sup> Avenue. The plans also show a total of 34 parking spaces, which exceeds the parking requirement by 15 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.

**CONDITIONS FOR APPROVAL:** (for requests #2 through #6 only)

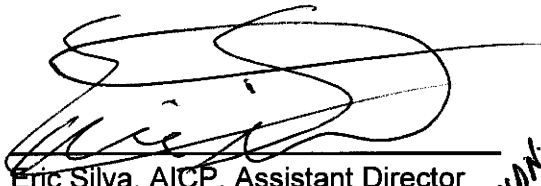
1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc., Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).
6. That the private school and daycare be restricted to Infant-2nd grade and to a maximum of two hundred (200) children.
7. That the hours of operation shall be from 7:00 AM to 6:30 PM.
8. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
9. That the school shall assign staff to monitor and direct on-site vehicular traffic during drop-off and pick-up times to facilitate the flow of traffic and prevent potential accumulation on the public right-of-way.
10. That the waste pick-up at the school shall be performed by a private commercial entity and shall be prohibited during arrival and dismissal times.
11. That the applicant stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day.
12. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.

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13. That the applicant obtain a new Certificate of Use from and promptly renew the same annually, with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
14. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
15. That the proposed private school and daycare keep the children indoors on the days that prescribed EEL property burns occur.

ES:MW:NN:CH:JC

A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line.

Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department

*NN*

# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Low Density Residential</b> (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Land Use Objective LU-4A</b> (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Education Element Objective EDU-3A</b> (Pg. X-5)	<i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.</i>

# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311 District Boundary Change</b></p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> <li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li> <li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li> <li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li> <li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li> <li>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></li> </ol>
<p><b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b></p>	<p><i>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>

## ZONING RECOMMENDATION ADDENDUM

*Julmar 147 Investment, LLC  
Z12-085*

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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**A. JULMAR 147 INVESTMENT, LLC**  
**(Applicant)**

**12-12-CZ10-1 (12-085)**  
**Area BCC/District 11**  
**Hearing Date: 07/18/13**

Property Owner (if different from applicant) **Oscar Castillo Trustee.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? **OSCAR**

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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None

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP**

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**A**

REPRESENTATIVE: **Melissa Tapanes**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	April 23, 2013	CZAB10	9	13

**REC: Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.**

<input type="checkbox"/> WITHDRAW: <input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input type="checkbox"/> DEFER: <input type="checkbox"/> INDEFINITELY	<input type="checkbox"/> TO: _____ <input type="checkbox"/> W/LEAVE TO AMEND
<input checked="" type="checkbox"/> DENY: <input type="checkbox"/> WITH PREJUDICE	<input checked="" type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS
<input type="checkbox"/> APPROVE: <input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
<input type="checkbox"/> WITH CONDITIONS	
<input type="checkbox"/>	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Julio R. CACERES	X		
COUNCILWOMAN		Miriam PLANAS	X		
COUNCILMAN	<b>S</b>	Gerardo RODRIGUEZ	X		
COUNCILMAN		Manuel VALDES		X	
VICE CHAIRMAN		Toufic ZAKHARIA	X		
CHAIRMAN		Richard M. GOMEZ		X	
VOTE:			4	2	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **DAVID HOPE**

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

**A**

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

REPRESENTATIVE: **Melissa Tapanes Llahues**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
12-12-CZ10-1 (12-085)	March 19, 2013	CZAB10 13

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_

☒ DEFER: ☐ INDEFINITELY ☒ TO: April 23, 2013 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.

☐ WITH CONDITIONS

☒ OTHER: Motion to defer the application due to a lack of time.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>S</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN	<b>M</b>	Jose GARRIDO	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS		<b>X</b>	
COUNCILMAN		Gerardo RODRIGUEZ		<b>X</b>	
COUNCILMAN		Manuel VALDES	<b>X</b>		
VICE CHAIRMAN		Toufic ZAKHARIA	<b>X</b>		
CHAIRMAN		Richard M. GOMEZ		<b>X</b>	
VOTE:			<b>4</b>	<b>3</b>	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **DARON FITCH**

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**A**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
12-12-CZ10-1 (12-085)	February 19, 2013	CZAB10 13

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>March 19, 2013</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER: Deferral was due to an advertising issue with the application. Board members were		
<b>told by staff that their attendance was not necessary for this hearing.</b>		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Julio R. CACERES			X
COUNCILMAN		Jose GARRIDO			X
COUNCILWOMAN		Miriam PLANAS			X
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Manuel VALDES			
VICE CHAIRMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ			

VOTE:

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: LAUREN MORSE



MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**#1**

REPRESENTATIVE: **Guillermo Olmedillo**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-12-CZ10-1 (12-085)	December 5, 2012	CZAB10	12

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_

☒ DEFER: ☐ INDEFINITELY ☒ TO: February 19, 2013 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.  
☐ WITH CONDITIONS

☒ OTHER: Deferred in order for the applicant to revise the covenant and to meet with the neighbors. The Board also has requested a staff member of the Environment Division of RER and a staff member from the Traffic Division of Public Works and Waste Management to attend the February hearing in 2013 to address some concerns that the Board has about the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN		Richard M. GOMEZ	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS	<b>X</b>		
COUNCILMAN	<b>S</b>	Gerardo RODRIGUEZ	<b>X</b>		
COUNCILMAN		Manuel VALDES	<b>X</b>		
COUNCILMAN		Toufic ZAKHARIA			<b>X</b>
CHAIRMAN		Jose GARRIDO (C.A.)	<b>X</b>		
VOTE:			<b>6</b>	<b>0</b>	

EXHIBITS: ☒ YES ☐ NO


COUNTY ATTORNEY: **LAUREN MORSE**  
**DAVID HOPE**

# Memorandum



**Date:** February 6, 2013

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources 

**Subject:** C-10 #Z2012000085-4<sup>th</sup> Revision  
Oscar Castilla  
SE corner of the intersection of SW 147<sup>th</sup> Avenue and 15<sup>th</sup> Street  
District Boundary (Zone) Changes to RU-MA. Special Exception to  
Permit a K-2 School  
(AU) (2.34 Acres)  
10-54-39

---

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

## Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

## Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity

in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

The proposed development is located within Bird Drive Basin, where a portion of the site must be set aside for stormwater management as required by the Code, to comply with the official Miami-Dade County report for that Basin. If said property has been continuously four and one-half (4.5) acres or less in size since September 30, 1997, the applicant may opt to pay a financial contribution into the Stormwater Compensation Trust Fund in lieu of providing set aside area for surface Water Management.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

DERM has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be changed to indicate the preservation of the tree island and a suitable amount of buffer to the development.

The applicant is advised to contact the Wetland Resources Program at (305)372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Natural Forest Communities

The subject property lies east to an Environmentally Endangered Land (EEL) property (Tree Island Park). EEL properties are subject to EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

#### Tree Preservation

The subject property contains tree resources and wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

#### Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.



If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

## **PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: OSCAR CASTILLA, TRUSTEE

This Department has no objections to this application.

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Site Plans S1, dated 08/06/2012 and received by Zoning on 08/23/2012; the Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively; and the Traffic Operations Plan, dated 08/21/2012, for the proposed facility located at the intersection of at SW 147 Avenue and SW 15 Street, and has the following comments:

### **Site Plan Review:**

The Site Plans named S1, dated 08/06/2012 and received by Zoning on 08/23/2012, are acceptable and must supersede all other hearing site plans.

### **Traffic Study Review:**

Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively, must be included within the permanent zoning hearing documents.

### **Traffic Operations Plan (TOP) Review:**

The Traffic Operations Plan, dated 08/21/2012, is acceptable. The Traffic Operations Plan scanned as part of the zoning hearing documents must be rescanned to contain page 2 of 3.

### **Project Requirements:**

All off-site improvements shall be constructed prior to the school opening.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 147 Avenue and SW 15 Street adjacent to the site. A school speed zone and flashing signals may be waived at this time with the

provision that a school policy explicitly stating that all students must be accompanied by an adult to and from school at all times is provided within a covenant for this facility and published as school policy; and the school administration agrees to timely purchase and install such traffic control devices, if the Miami-Dade County Public Works and Waste Management Department determines the future need for said devices.

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school opening or expansion. The "Declaration of Restrictions" shall include a Traffic Operations Plan narrative and plan that has been found acceptable by TED.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

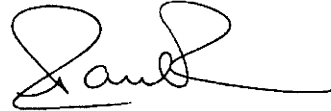
Please contact Ricardo Gavilan at 305-375-2030, if you have any questions concerning this recommendation.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 132 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

12-SEP-12

**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: Vacant land on SW 147th Avenue & 15th Street Tax Folio # 30-4910-003-0050

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
3. Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pk-2nd Grade)
4. Number of teachers: 16 Number of administrative & clerical personnel: 4.
5. Number of classrooms: 11 Total square footage of classroom area: 7,082 sq. ft.
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 5,059 sq. ft. - Includes Stairs and Elevator
7. Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 34 spaces parking spaces required by §33-124(L) = 20 spaces
10. Indicate the number of auto stacking spaces: 5 provided 5 required.
11. Proposed height for the structure(s): 35'-0" See §33-151.18(g).
12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(c).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
13. Days and hours of operation: Infants - Pk - 2nd Grd School shall operate M to F 7 am to 6:30 pm.
14. Does the subject facility share the site with other facilities? ☐ Yes ☒ No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). No Residential Uses

**RECEIVED**  
212-087  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY                     

3.

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 160 (number of children) = 5,600 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,800 sq. ft.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,082 sq. ft.

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 80 (½ of children) = 3,600 sq. ft.

- b. Grades 1-6 500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.

300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0 sq. ft.

300 sq. ft. x 0 (next 300 children) = 0 sq. ft.

150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.

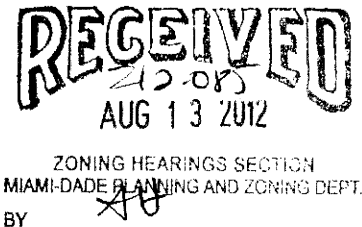
TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48

- b. Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500.

- c. Grass area for organized sports/play area in square feet: 11,350 sq. ft. total recreation area

- d. Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.



School Address: Vacant land on SW 147th Avenue & 15th Street - Miami, Florida Zip Code: 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15th day of June 2012  
at Miami-Dade County, Florida.

Jorge L. Villavicencio, R.A.

  
Signature

WITNESSES:


---

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

**RECEIVED**  
2/2-08  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY 

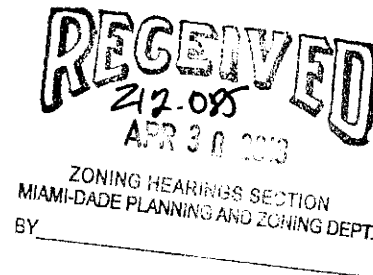
PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY F.E. AMOUNT OF FEE \$1,188.87

RECEIPT # \_\_\_\_\_

DATE HEARD: 4 / 23 / 13

BY CZAB # 10



DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2012000085

Filed in the name of (Applicant) Julmar 147 Investment, LLC

Name of Appellant, if other than applicant \_\_\_\_\_

Address/Location of APPELLANT'S property: Lying south of SW 15th Street, between SW 145th Ave and SW 147th Ave, Miami-Dade County FL

Application, or part of Application being Appealed (Explanation): Appeal of denial of: 1) district boundary change, 2) Special exception to permit a private school, 3) Unusual Use to permit a day nursery, 4) Non-Use Variance to permit the school setback 6' (25' required) from the side street (north) property line, 5) Non-Use variance to permit parking and drives within 25' of an official right-of-way (not permitted).

Appellant (name): Julmar 147 Investment, LLC

hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

See Letter of Intent.

Page 1



APPELLANT'S AFFIDAVIT OF STANDING  
(must be signed by each Appellant)

RECEIVED

APR 30 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Mario Castellanos  
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal  
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community  
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☐ 1. Participation at the hearing  
☒ 2. Original Applicant  
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,  
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Gina Rivera  
Signature

Gina Rivera  
Print Name

Rivas  
Signature

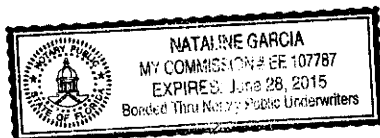
Lauren Rivas  
Print Name

Appellant's signature

Mario Castellanos  
Print Name

Sworn to and subscribed before me on the 25<sup>th</sup> day of April, year 2013

Appellant is personally know to me or has produced Florida License as  
identification. 0234-540-63-445-0



Notary  
(Stamp/Seal)

Commission Expires: 6/28/2015

[b:forms/affidapl.sam(9/08)]

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APPELLANT MUST SIGN THIS PAGE

APR 30 2013

Date: 25<sup>th</sup> day of April, year: 2013  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

Signed [Signature]  
Mario Castellanos  
Print Name

2732 SW 140 Ave  
Mailing Address

305 222 5116 305 226 8903  
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an  
association or other entity, so indicate:

Representing \_\_\_\_\_

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

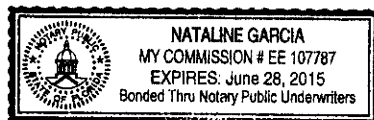
Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_

Subscribed and Sworn to before me on the 25<sup>th</sup> day of April, year 2013

[Signature]  
Notary Public



(stamp/seal)

Commission expires: 6/28/2015



**BERCOW RADELL & FERNANDEZ**  
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6227  
E-Mail: MTapanes@BRZoningLaw.com

VIA HAND DELIVERY

April 30, 2013

Mr. Eric Silva, Assistant Director  
Miami-Dade County  
Department of Regulatory and Economic Resources  
Development Services Division  
111 NW 1st Street, 11th Floor  
Miami, Florida 33128

Z12-085  
**RECEIVED**  
APR 30 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY SDE

RE: Julmar 147 Investment, LLC Public Hearing Application No. Z12-085

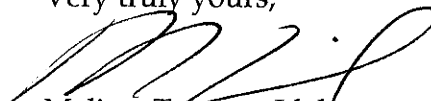
Dear Mr. Silva:

We represent Julmar 147 Investment, LLC, the applicant in Public Hearing Application No. Z12-085 ("Application"). The purpose of this petition is to request an appeal of the April 22, 2013 decision of the Miami-Dade County Community Zoning Appeals Board (CZAB) 10 to the Miami-Dade Board of County Commissioners pursuant to Section 33-314 of the Miami-Dade County Code.

This petition involves a decision of CZAB 10 regarding the proposed rezoning of a 2.34 acre parcel located at the southeast corner of SW 147 Avenue, a major section line road, and SW 15 Street from AU to RU-1MA, as well as an Unusual Use, Special Exception and minor associated variances to permit a daycare and private school. Bowing to political and neighborhood pressure, CZAB 10 denied the Application despite a recommendation of approval from the County's professional staff, expert testimony, and a wealth of data demonstrating both that the neighborhood concerns were unwarranted and that the Application satisfied the applicable legal standards. CZAB 10's action was not supported by competent substantial evidence and therefore must be overturned.

We respectfully request that this appeal be scheduled for hearing before the Board of County Commissioners at the next available agenda. Should you have any questions or comments, please do not hesitate to phone me at 305.377.6227.

Very truly yours,

  
Melissa Tapanes Llahues

**RESOLUTION NO. CZAB10-9-13**

**WHEREAS, JULMAR 147 INVESTMENT, LLC** applied for the following:

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

**REQUEST #1 ON PARCELS "1" & "2"**

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a daycare.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and within drives 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

**REQUESTS #2 THROUGH #6 ON PARCEL "1"**

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL 1: Proposed Lot for higher Learning Educational Center. The West 305 feet of the North ½ of Tract 6, less the North 25 feet thereof, lying in Section 10, Township 54 South, Range 39 East of J.G. Heads Farms Subdivision, according to Plat Book 46, Page 44. PARCEL 2: Proposed Lot for 6 RU1-MA Lots. The North ½ of Tract 6, less the West 305 feet and less the North 25 feet thereof, lying in Section 10, Township 54 South, Range 39 East of J.G. Heads Farms Subdivision, Plat Book 46, Page 44.

LOCATION: Lying South of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County, Florida, and

**WHEREAS,** a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU1-MA on Parcels #1 and #2 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested special exception to permit a private school on Parcel #1 (Item #2), the requested unusual use to permit a daycare on Parcel #1 (Item #3), the requested non-use variance to permit the school setback 6' from the side street (north) property line on Parcel #1 (Item #4), the requested non-use variance to permit parking and within drives 25' of an official right-of-way on Parcel #1 (Item #5), and the requested non-use variance to permit an outdoor recreation area of 11,350 sq. ft. on Parcel #1 (Item #6) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and that the requested special exception on Parcel #1 (Item #2) unusual use on Parcel #1 (Item #3) would have an adverse impact upon the public interest and should be denied without prejudice ,and

WHEREAS, a motion to deny the application without prejudice was offered by Julio R. Caceres, seconded by Gerardo Rodriguez, and upon a poll of the members present the vote was as follows:

Julio R. Caceres	aye	Gerardo Rodriguez	aye
Miriam Planas	aye	Toufic Zakharia	aye
		Manuel Valdes	nay
	Richard M. Gomez	nay	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU1-MA on Parcels #1 and #2 (Item #1) be and the same is hereby denied without prejudice.

*BE IT FURTHER RESOLVED* that the requested special exception to permit a private school on Parcel #1 (Item #2), the requested unusual use to permit a daycare on Parcel #1 (Item #3), the requested non-use variance to permit the school setback 6' from the side street (north) property line on Parcel #1 (Item #4), the requested non-use variance to permit parking and within drives 25' of an official right-of-way on Parcel #1 (Item #5), and the requested non-use variance to permit an outdoor recreation area of 11,350 sq. ft. on Parcel #1 (Item #6) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Regulatory and Economic Resources.

*PASSED AND ADOPTED* this 23<sup>rd</sup> day of April, 2013.

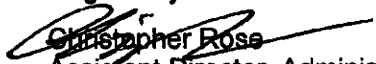
Hearing No. 12-12-CZ10-1  
ej

# Memorandum



**Date:** September 25, 2012

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:**  Christopher Rose  
Assistant Director, Administration  
Public Works and Waste Management Department

**Subject:** DIC # 12-085  
Updated Oscar Castilla, Trustee

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Attached please find a copy of this Department's review of the above-referenced item. The review was created as requested to update a previous response dated July 10, 2012. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

## PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-085  
Updated Oscar Castilla, Trustee

**Application:** *Oscar Castilla, Trustee* is still requesting a District Boundary Change from Agricultural (AU) to modified Single-family Residential (RU1-MA), and a special exception for a school serving grades K to 2. Currently, the applicant is also requesting a variance for a setback on the property.

**Size:** The subject property is approximately 2.35 acres.

**Location:** The subject property is approximately south of SW 15<sup>th</sup> Street, between SW 145<sup>th</sup> Avenue and SW 147<sup>th</sup> Avenue in Miami-Dade County, Florida.

### **Analysis:**

#### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

#### 2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated July 10, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The placement of a school on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

#### 3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:



- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

#### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

# Memorandum



**Date:** January 28, 2013

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2012000085: JULMAR 147 INVESTMENT, LLC

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**Application Name:** JULMAR 147 INVESTMENT, LLC

**Project Location:** The site is located south of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from AU TO RU-1MA and a special exception to permit a school (K-2).

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



# Memorandum

**Date:** 13-SEP-12

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department

**Subject:** Z2012000085

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to site plan date stamped received August 21, 2012. Any changes to the vehicular circulation must be resubmitted for review and approval. This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

## Service Impact/Demand

Development for the above Z2012000085

located at LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1430 is proposed as the following:

_____ dwelling units	_____ square feet
residential	industrial
_____ square feet	_____ square feet
Office	institutional
_____ square feet	12,140 square feet
Retail	nursing home/hospitals

Based on this development information, estimated service impact is: 8.14 alarms-annually.  
The estimated average travel time is: 6:20 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street  
ALS Engine.

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 21, 2012. Substantial changes to the plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 23-APR-13  
REVISION 2

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

JULMAR 147 INVESTMENT, LLC

LYING SOUTH OF SW 15 STREET,  
BETWEEN SW 145 AVENUE & SW  
147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

Z2012000085

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**HEARING NUMBER**

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases, prior case 201212006678 was opened August 9, 2012 and a warning issued August 20, 2012. Citation issued September 7, 2012, affidavit of compliance October 23, 2012, cvn electronically closed October 27, 2012 and case closed October 29, 2012. BNC: No bss cases open/closed.

Julmar 147 Investment, LLC

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**

### DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Julmar 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>12911 SW 42nd #205 Miami, FL 33175</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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27-015  
SEP 19 2012  
ZONING/PLANNING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AT

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: Anper Corporation

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Maria C. Angola

50%

7350 S.W. 89 St. #622-S, Miami, FL 33156

Helen B. Angola

50%

7350 S.W. 89 St. #622-S, Miami, FL 33156

Date of contract: 06/19/12

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

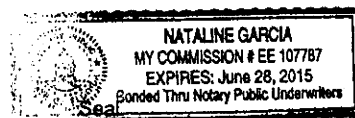
Signature: [Signature]

(Applicant) Mario Castellanos - Julmar 147 Investment, LLC

Sworn to and subscribed before me this 3rd day of January, 2013. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)

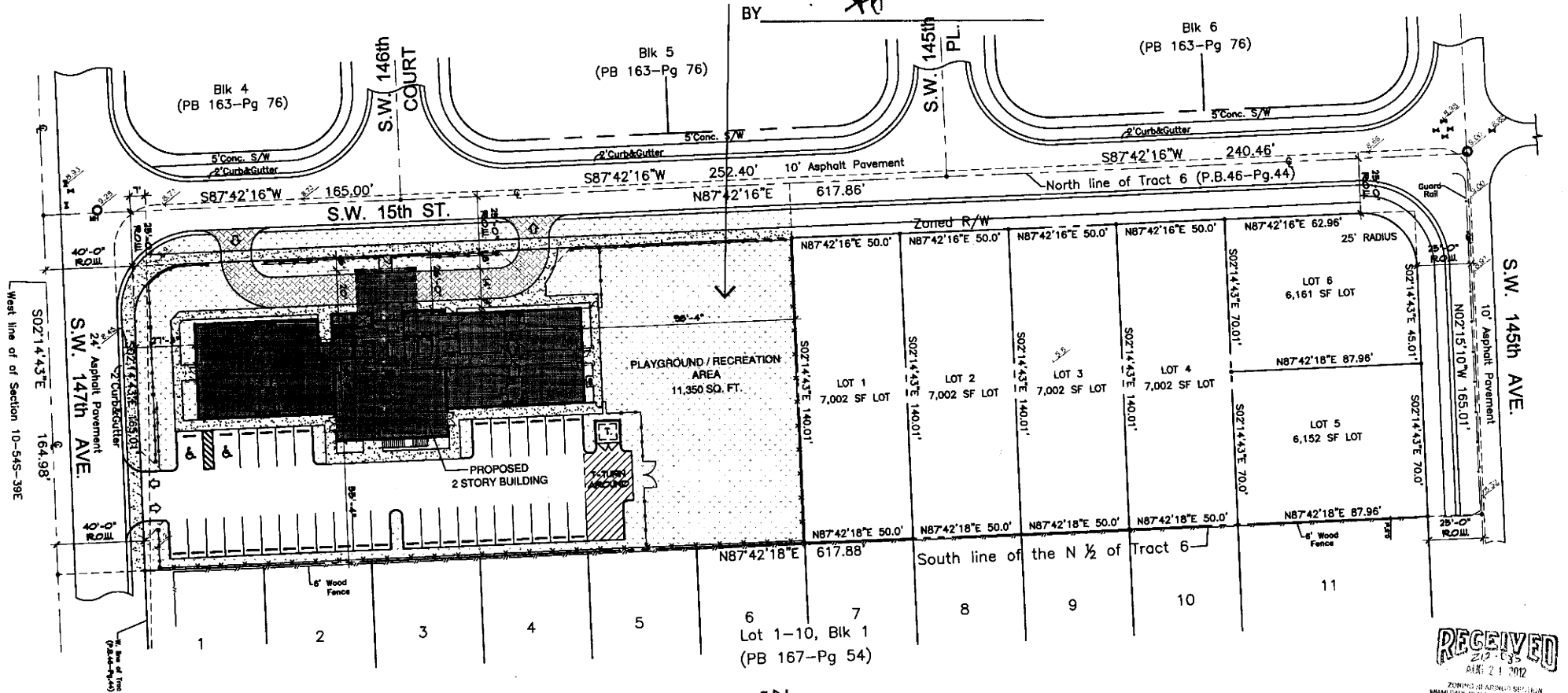
My commission expires: 6/28/2015



\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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212-08  
AUG 21 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.



PROPOSED SITE PLAN

1" = 30'

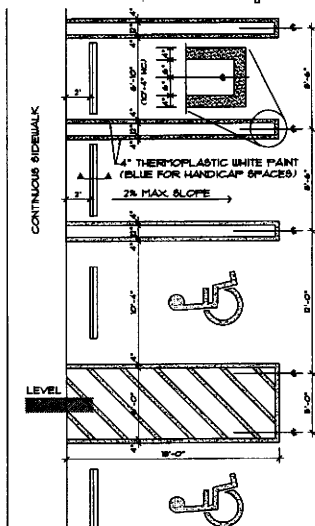
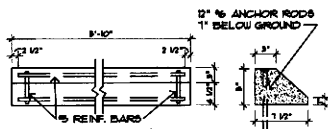
ENLARGED SITE PLAN

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BY: AV

Diagram of a Handicap Post Sign with dimensions and specifications:

- Overall width: 24"
- Overall height: 48"
- Top section height: 12"
- Bottom section height: 36"
- Post diameter: 4"
- Sign face width: 18"
- Sign face height: 36"
- White symbol on blue background (International Symbol of Access)
- White background for text
- Black - 1/4" - letters on white background
- 1/4" gap between lines
- 1/4" blue perimeter band
- Text on sign: "PARKING FOR DISABLED PERMIT ONLY", "TWO HOUR ZONE", "A FINE UP TO \$250"

HANDICAP POST SIGN NTS



PARKING SPACE &  
CAR STOP DETAIL

LOCATION ----- SW 15th STREET ACROSS 147th AVENUE  
MIAMI, FLORIDA 33184

PARCEL NO. ----- 30-8910-003-0090 (TOTAL PROPERTY)

ZONING ----- RU - applying for - RU-1-MA

ZONING RESOLUTIONS ----- N/A

TOTAL EXISTING LOT AREA ----- GROSS: 108,563 S.F. (2.44 ACRES)  
TOTAL NET: N/A - NOT YET SUBDIVIDED

PROPOSED LOT AREAS:

PARCEL '1' LOT AREA ----- GROSS: 56,810 S.F. (1.31 ACRES)  
TOTAL NET: 42,898 S.F. (0.98 ACRES)

PARCEL '2' LOT AREA ----- GROSS: 51,848 S.F. (1.19 ACRES)  
TOTAL NET: 40,321 S.F. (0.93 ACRES)

PARCEL '2' TO BE SUBDIVIDED INTO 8 RU-1MA RESIDENTIAL LOTS

PROPOSED BUILDINGS:

1. TWO STORY HIGH LEARNING EDUCATIONAL CENTER

COVERED DROP OFF ----- 567 SQ. FT.  
FIRST FLOOR AREA ----- 8,533 SQ. FT.  
SECOND FLOOR AREA ----- 3,061 SQ. FT.

PROPOSED SCHOOL BUILDING AREA = 12,141 SQ. FT.

TOTAL PROPOSED BUILDING LOT COVERAGE = 9,090 SQ. FT. 21.3 %

TOTAL PROPOSED BUILDING AREA = 12,141 SQ. FT.

SETBACKS:

FRONT - NORTH (TO DROP OFF) ----- 6'-0"  
FRONT - NORTH (TO BUILDING WALL) ----- 26'-0"  
SIDE STREET - WEST ----- 27'-3"  
SIDE - EAST ----- 96'-4"  
REAR - SOUTH ----- 58'-4"  
SIDE - EAST (TO RESIDENTIAL STRUCTURE) ----- 103'-4"  
REAR - SOUTH (TO RESIDENTIAL STRUCTURE) ----- 80'-5"  
SIDE STREET - WEST (TO RESIDENTIAL STRUCTURE) ----- 132'-3"

SUMMARY OF OVERALL LOT COVERAGE:

TOTAL PROPOSED BUILDING LOT COVERAGE ----- 9,090 SQ. FT. 21.3 %  
ASPHALT PAVED, SIDEWALKS AND PAVED AREAS ----- 14,700 SQ. FT. 34.3 %  
LANDSCAPE OPEN SPACE ----- 8,868 SQ. FT. 44.3 %

TOTAL AREA = 42,658 SQ. FT. 100.0 %

OUTDOOR RECREATION AREA ----- 11,350 SQ. FT. 26.8 %

PARKING REQUIRED: AS PER 33-124 MDC ZONING CODE

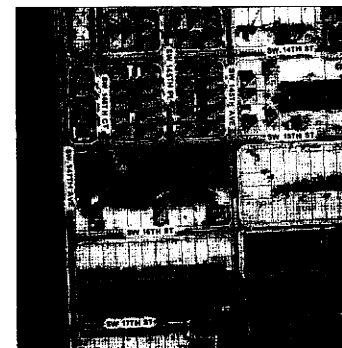
= SCHOOL (INFANTS - PK TO 2ND GRADE) ----- 20 SPACES  
= PARK (33-124(1)) & 2  
INFANTS - PK TO 2ND GRADE  
1 SPACE PER STAFF + 20 = 20 SPACES

TOTAL PARKING REQUIRED ----- 20 SPACES

PARKING PROVIDED:

= STANDARD - 8.5' X 16' ----- 32 SPACES  
= HANDICAP - 12.0' X 16' ----- 2 SPACES

TOTAL PARKING PROVIDED ----- 34 SPACES

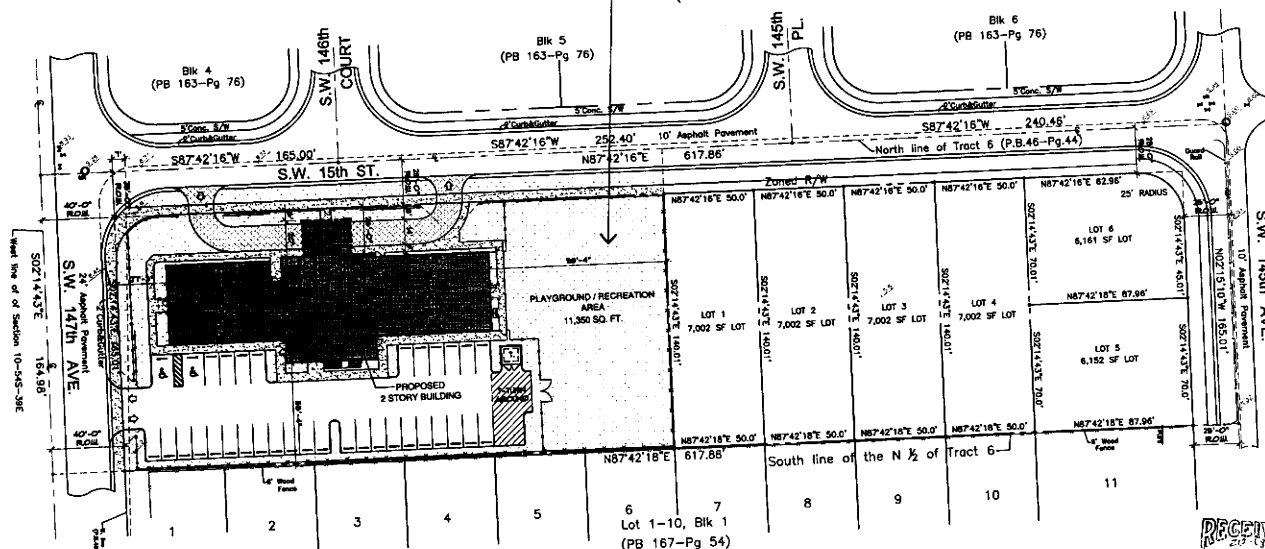


LOCATION—N.T.S.

**PARCEL 1**  
THE WEST 305 FEET OF THE NORTH 1/2 OF TRACT 6, LESS THE NORTH 25 FEET THERE LIVING IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 30 EAST OF J.G. HEAD FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MANI-DADE COUNTY, FLORIDA.

**PARCEL 2**  
THE NORTH 1/2 OF TRACT 6, LESS THE WEST 305 FEET AND LESS THE NORTH 25 FEET THERE LIVING IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 30 EAST OF J.G. HEAD FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MANI-DADE COUNTY, FLORIDA.

**VACANT LOT**  
THE NORTH ½ OF TRACT 6  
(PB 46-Pg 44)



REFER TO SHEET A-3 FOR COMPLETE  
SITE PLAN DIMENSIONS

REFER TO SHEET A-2 FOR

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AD

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4970-003-0060  
VACANT LAND ON SW 105th STREET AND 147th AVENUE

**VILLA & ASSOCIATES INC.**

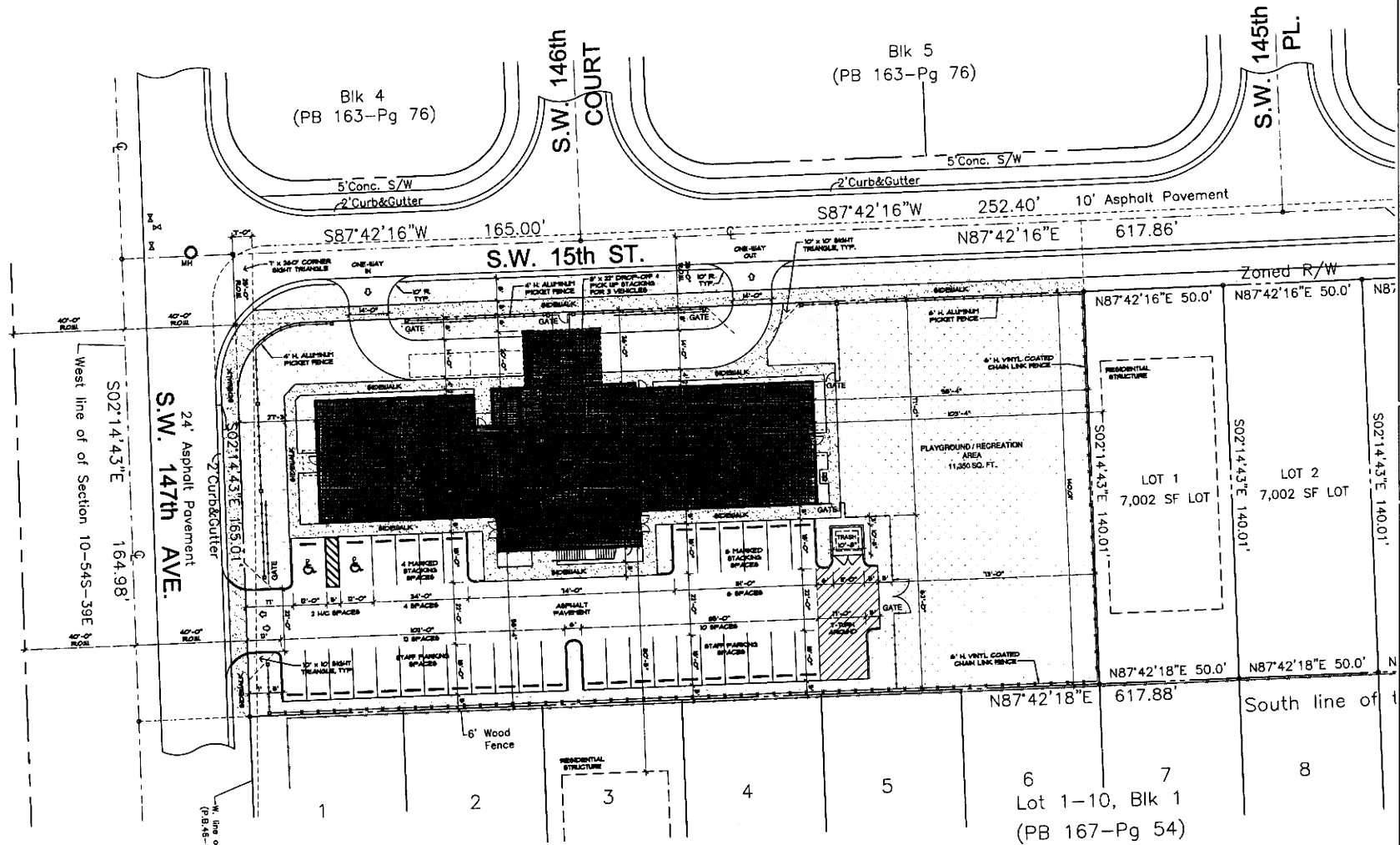


DATE :	SCALE :
08-08-12	1" = 30'
DATE SUBMITTED FOR REVIEW :	
DRAWING NO :	
A-1 OF 7	



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 MIAMI-DADE COUNTY  
 PLANNING & ZONING DEPT.  
 DATE: 08/21/2013

43



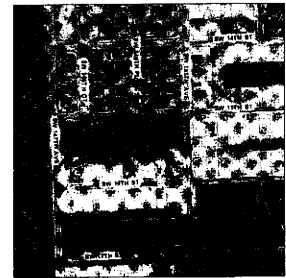
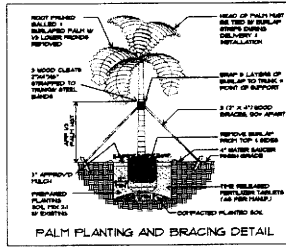
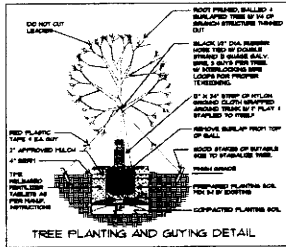
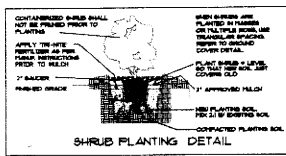
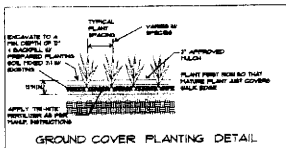
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 AUG 21 2013

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 MIAMI-DADE PLANNING AND ZONING DEPT.  
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PROPOSED SITE PLAN 1/16" = 1'

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HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS FOLIO # 30-490-000-0060 VACANT LAND ON SW 15th STREET AND 14th AVENUE	
VILLA & ASSOCIATES INC. ARCHITECTURE 1000 SW 1st STREET MIAMI, FL 33130 (305) 375-1111	CONSULTANT
SCALE: 1/16" = 1' DATE SUBMITTED FOR REVIEW: 08-05-13 REVIEWED BY: A-3 OF 7	

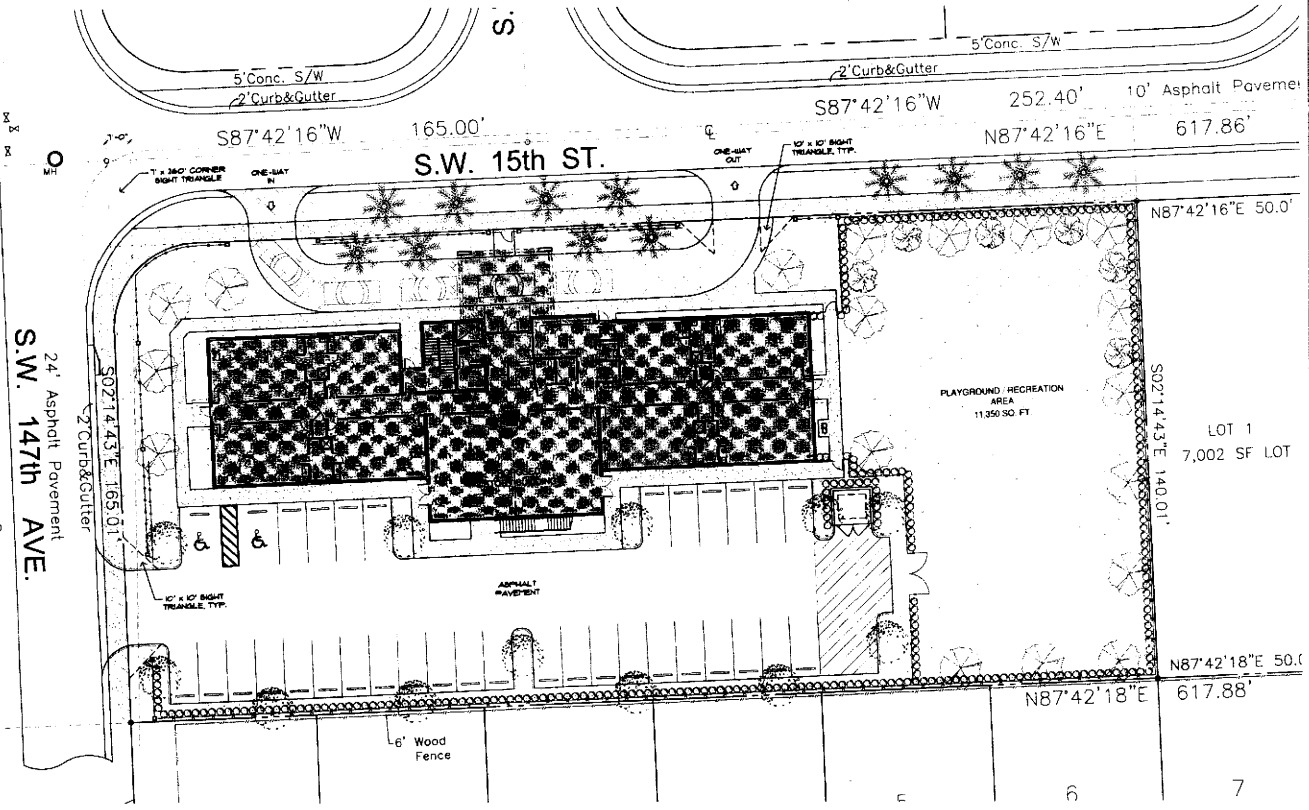


LOCATION

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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY                     

West line of Section 10-54S-39E



NOTE:  
TREES PLANTED 7' FROM THE RIGHT OF WAY CAN  
BE COUNTED TOWARD THE STREET TREE REQUIREMENT.

LANDSCAPE SCHEDULE						
KEY	COMMON NAME	BOTANICAL NAME	HEIGHT AT PLANTING	NATURAL HEIGHT RANGE	NATIVE	QUANTITY
A	LIVE OAK	QUERCUS VIRGINIANA	14' (3.5" CALIPER) AT PLANTING	40' TO 50'	YES	18
B	PIRENE PLUM	COCOCOLOBA DIVERSIFOLIA	12' (2" CALIPER) AT PLANTING	20' TO 25'	YES	6
C	SILVER BUTTWOOD	CONOCARPUS ERECTUS	12' (2" CALIPER) AT PLANTING	10' TO 15'	YES	12
D	ROYAL PALM	ROYSTONIA ELATA	15' AT PLANTING	40' TO 60'	YES	12
F	RED-TIP COCOPLUM	CHRISTIANUS KANCO VAR. PELLUCIDUS	38" N. & 24" O/C AT PLANTING	6'	YES	500

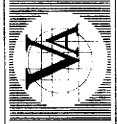
\* Landscape contractor shall provide irrigation system for all landscape areas.  
\* Hedge shall be kept at a maximum 6' in height once mature.

LANDSCAPE LEGEND

Zoning District: RU-1-MH Net Lot Area: 0.96 acres 42.6% s.f.	
<b>OPEN SPACE</b>	
A. Square feet of open space required by Chapter 33, as indicated on site plan	REQUIRED 10,674 S.F.
Net lot area = 32,636 square feet x .32 = 10,674 S.F.	
B. Square feet of parking lot open space required by Chapter 33, as indicated on site plan	PROVIDED 10,674 S.F.
The number of parking spaces = 360 x 10 square feet per parking space = 3,600 S.F.	
C. Total square feet of landscaped open space required by Chapter 33 = A + B = 22,110 S.F.	
<b>LAWN AREA CALCULATION</b>	
Total square feet of landscaped open space required by Chapter 33 = 11,024 square feet	11,024 S.F.
B. Maximum lawn area (51. August 2008 permitted) = 50.2 x 11,024 square feet = 5,620 S.F.	5,620 S.F.
<b>TREES</b>	
A. The number of trees required per net lot acre = 28 TREES PER NET ACRE	
= .28 trees x 0.96 net lot acreage = 27.44 TREES	27.4
B. Street trees (max. average spacing of 35' o.c.) 445 linear feet along street / 35 = 12.7	12.7
C. Parking lot trees (1 per 80 S.F. of parking landscape area) 360 S.F. / 80 = 4.5 trees	4.5
D. Total number of trees required & provided =	46.6
E. 30 x palm trees allowed = 12 Royal Palms provided = 12 TREES + 25 X	
F. Percentage of native trees required = the number of trees provided 46 x 30.2 = 14.4	14.4
<b>SHRUBS</b>	
A. The total number of trees required 44.6 x 10 = 446 required shrubs	446
B. The number of shrubs required x 30.2 = the number of native shrubs required	13,288
<b>IRRIGATION PLAN</b> Required by Chapter 33, Auto Irrigation <u>      </u> or hose bib <u>      </u> provided.	
Note: Landscape contractor shall provide irrigation system for all landscape areas. Provide Shop Drawings for approval.	

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLD # 30-490-003-0000  
VACANT LAND ON SW 5th STREET AND 14th AVENUE

VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
7844 SW 40 STREET  
MIAMI, FL 33155  
(305) 897-8981



DATE: 08-06-12  
DATE SUBMITTED FOR REVIEW: 1/18/13  
DRAWING NO: L-1 OF 1

RECEIVED  
22-085  
AUG 13 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *[Signature]*

<p>Department of Planning and Zoning Zoning Hearings Section 111 N.W. 1 Street, 11<sup>th</sup> Floor Miami, Florida 33128 (305) 375-2640</p> <p><b>CHILD CARE CHECKLIST REQUIREMENTS FOR ZONING HEARING</b></p> <p>1. Day nurseries, day care centers and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3M, RU-3B, RU-4L, RU-4M, RU-4, RU-4A, RU-4S, RU-4A, CDD, BU (Business) or RU (Industrial) and must all requirements including setbacks for buildings of public assemblies where occupancy is for 25 or more, or other applicable setbacks. Must also comply with all other code requirements including, but not limited to, handicap accessibility and plumbing fixture count.</p> <p>Private schools are permitted on properties zoned RU-3, RU-3M, RU-3B, RU-4L, RU-4M, RU-4, RU-4A, BU (Business) subject to compliance with the aforementioned requirements.</p> <p>2. Must comply with all requirements of Article XX, (§33-151.11 through 33-151.22) Zoning Code of Miami-Dade County.</p> <p>3. Submit one full set of folded plans and 1 C.D. (PDF Format) containing an identical set of plans for zoning hearing review, including:</p> <ol style="list-style-type: none"> <li>Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and automobile stacking.</li> <li>Floor plans identifying classroom area(s) - dimensioned (note: an architect or engineer must seal the plans for 50 or more children).</li> <li>Completed Child Care Checklist (attached)</li> <li>Landscape plans, Landscape Legend and Certification of Compliance with Chapter 16A (Landscape Code).</li> </ol> <p>4. Day care centers may require a traffic analysis. Contact Harvey Bernstein at the Public Works Department at 305-375-1874 for more information.</p> <p>The Department of Planning and Zoning will review this application and accompanying plans. Early contact with the sections involved would be beneficial to the applicant. Contact the Zoning Information Section at (305) 375-1006, the Zoning Processing Section at (786) 315-2000 and the Planning Division at (305) 375-3800. Apply for a building permit at 11805 S.W. 26 Street, between the hours of 7:30 a.m. and 10:00 a.m. Tuesday through Friday. If you have any questions regarding the process for applying for a building permit, please contact the Permit Section at (786) 315-2100.</p>	<p>Child Care Check List for Day Nursery, Day Care Center, Kindergarten and Private School</p> <p>School Name: <u>HIGHER LEARNING EDUCATIONAL CENTER</u></p> <p>School Address: <u>Vacant land on SW 147th Avenue &amp; 15th Street</u> Tax Parcel # <u>30-4910-003-0050</u></p> <p>1. Is this an expansion to an existing school? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, indicate the number of students _____ and age and grade ranges originally approved: _____</p> <p>2. Total size of site: _____ = <u>52,896 sq. ft. / 43,560 sq. ft. = 0.86 acres</u></p> <p>3. Number of children or students requested: <u>200</u> Ages: <u>Infant - 5 years old (Infant-Pk 2nd Grade)</u></p> <p>4. Number of teachers: <u>18</u> Number of administrative &amp; clerical personnel: <u>4</u></p> <p>5. Number of classrooms: <u>11</u> Total square footage of classroom area: <u>7,062 sq. ft.</u></p> <p>6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): <u>5,058 sq. ft.</u> - Includes Stairs and Elevator</p> <p>7. Amount of outdoor recreation/play area in square footage: <u>11,350 sq. ft.</u></p> <p>NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(f).</p> <p>8. Number &amp; type of vehicle(s) that will be used in conjunction with the operation of the facility: <u>2</u></p> <p>9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = <u>25 spaces</u> parking spaces required by §33-124(f) = <u>20 spaces</u></p> <p>10. Indicate the number of auto stacking spaces: <u>5</u> provided <u>5</u> required.</p> <p>11. Proposed height for the structure(s): <u>30'±</u> See §33-151.18(g).</p> <p>12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(h). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.</p> <p>13. Days and hours of operation: <u>Infant - Pk 2nd Grade School shall operate M to F 7:30 a.m. to 6:30 p.m.</u></p> <p>14. Does the subject facility share the site with other facilities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).</p> <p>15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, describe the residential uses and indicate same on the plans). <u>No Residential Uses</u></p>
<p><b>DEFINITIONS</b></p> <p>Day Nursery: Childcare for infants and children up to the age of six (6).</p> <p>Kindergarten: Childcare and preschool programs for children ages four (4) through six (6).</p> <p>After-School Care: Childcare and recreation for children above the age of five (5) when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacation.</p> <p>Rehabilitating Service for Shoppers: Childcare for limited time periods (maximum three (3) hours) provided within a shopping center solely for the convenience of the patrons, and limited to not more than forty (40) children at any one time.</p> <p>College or University: An institution of higher learning beyond the high school level.</p> <p>Family Day Care: Childcare and recreation with a maximum of five (5) children including the day care operator's own children.</p> <p>Private School: This term as used herein refers to any private institution providing childcare and/or instruction at any level from infants through the college level.</p> <p>Elementary, Junior, and/or Senior High: Reference to these schools are to be broadly interpreted to encompass any schools, graded or ungraded, whose students are within the age ranges typically found at these school levels.</p> <p>Child, Student, Pupil: The terms "child," "student," or "pupil" and their plurals are used interchangeably.</p>	<p>PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.</p> <p>The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.</p> <p>CLASSROOM SPACE: Calculated by grade levels.</p> <ol style="list-style-type: none"> <li>Day Nursery/Kindergarten, preschool and after-school care 30 sq. ft. x 150 (number of children) = <u>4,500 sq. ft.</u> of classroom area required.</li> <li>Elementary Grades 1-6 30 sq. ft. x 40 (number of children) = <u>1,200 sq. ft.</u> of classroom area required.</li> <li>Junior High and Senior High Schools (Grades 7-12) 25 sq. ft. x 5 (number of children) = <u>0 sq. ft.</u> of classroom area required.</li> </ol> <p>TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: <u>5,700 sq. ft.</u> TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: <u>7,062 sq. ft.</u></p> <p>OUTDOOR RECREATION SPACE:</p> <ol style="list-style-type: none"> <li>Day nursery/Kindergarten, preschool and after-school care 45 sq. ft. x 150 (15 of children) = <u>6,750 sq. ft.</u></li> <li>Grades 1-6 500 sq. ft. x 30 (first 30 children) = <u>15,000 sq. ft.</u> 300 sq. ft. x 10 (remaining children) = <u>3,000 sq. ft.</u></li> <li>Grades 7-12 800 sq. ft. x 5 (first 30 children) = <u>0 sq. ft.</u> 300 sq. ft. x 5 (next 300 children) = <u>0 sq. ft.</u> 150 sq. ft. x _____ (remaining children) = _____</li> </ol> <p>TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: <u>21,750 sq. ft.</u> TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: <u>11,350 sq. ft.</u></p> <p>TREES: See §33-151.18(g), and the Planning Division (11<sup>th</sup> Floor) for additional requirements.</p> <ol style="list-style-type: none"> <li>28 trees are required per net acre. Trees required: <u>44.8</u> Trees provided: <u>58</u></li> <li>Ten shrubs are required for each tree required. Shrubs required: <u>448</u> Shrubs provided: <u>500</u></li> <li>Grass area for organized sports/play area in square feet: <u>11,350 sq. ft. total/recreation area</u></li> <li>Lawn area in square feet (exclusive of organized sports/play area): <u>6,522 sq. ft.</u></li> </ol>

CHILD CARE CHECKLIST

RECEIVED  
22-085  
AUG 13 2013  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *[Signature]*

REVISIONS:

HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS VACANT LAND ON SW 147th STREET AND 147th AVENUE

CHIEF OF PLANNING & ZONING DIVISION  
PLANNING & ZONING DIVISION  
JANET L. REYNOLDS  
PLANNING & ZONING DIVISION

VILLA & ASSOCIATES, INC.  
PLANNING & ZONING DIVISION  
7004 SW 40th STREET - MIAMI, FL 33155  
CONSULTANT: (305) 481-9901

SCALE: 1" = 1'

DATE SUBMITTED FOR REVIEW: \_\_\_\_\_

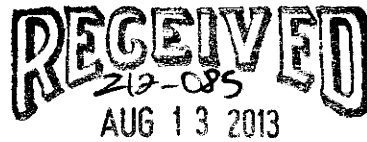
REVIEWED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

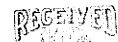
A-2 OF 7




BY 70



PROPOSED FIRST FLOOR PLAN \_\_\_\_\_ 1/8" = 1'-0"  
9,090 SQ. FT.

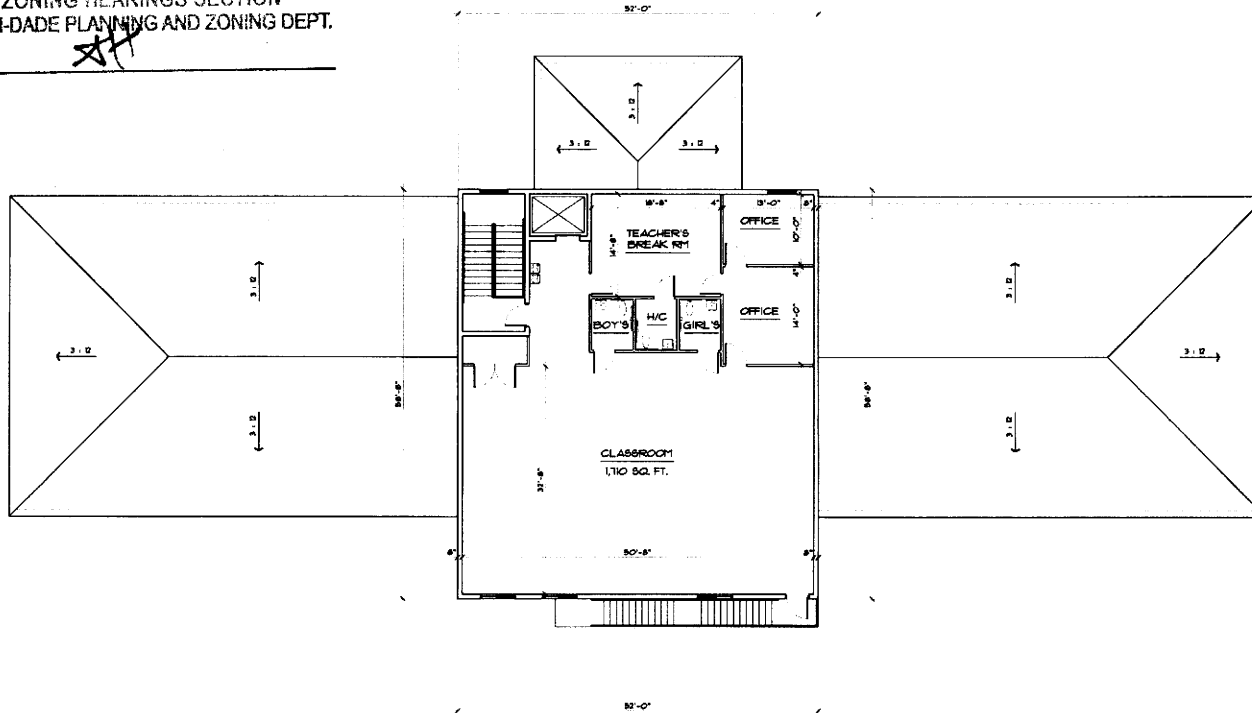


<b>VILLA &amp; ASSOCIATES INC.</b> ARCHITECTURE PLANNING 1000 W. 10TH STREET - SUITE 100 - DALLAS, TX 75201-1000 PHONE: (214) 742-1000 FAX: (214) 742-1001	
	
DATE: <b>09-06-17</b>  DATE SUBMITTED FOR REVIEW: _____  DRAWING NO.: <b>A-4 OF 7</b>	SCALE: <b>1" = 1'</b>  PROJECT NAME: <b>HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS</b> LOT # <b>30-489-003-0050</b> VACANT LAND ON SW 95th STREET AND 147th AVENUE
CONSULTANT: _____ APPROVED BY: _____ CONTRACT NUMBER: <b>FAL5002076</b> CONTRACT ADDRESS: _____ JOB TITLE: <b>JORDI L. WILLIAMSON</b> SIGNATURE: _____ PRINTED NAME: <b>JORDI L. WILLIAMSON</b>	
REVISIONS: _____ REVISIONS: _____ REVISIONS: _____ REVISIONS: _____ REVISIONS: _____	

RECEIVED  
MIAMI-DADE COUNTY  
PLANNING & ZONING  
DATE: AUG 13 2013  
BY: [initials]

**RECEIVED**  
212-085  
AUG 13 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [initials]



PROPOSED SECOND FLOOR PLAN — 1/8" = 1'-0"  
3,051 SQ. FT.

RECEIVED  
AUG 13 2013

REVISIONS

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4870-003-0060  
VACANT LAND ON SW 55th STREET AND 47th AVENUE

COMMISSIONER  
J. VILLARREAL  
NO. 0000000000  
ARCHITECTURAL SEAL

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE  
PLANNING  
1944 SW 48 STREET - MIAMI, FL 33156 - (305) 897-9991  
CONSULTANT

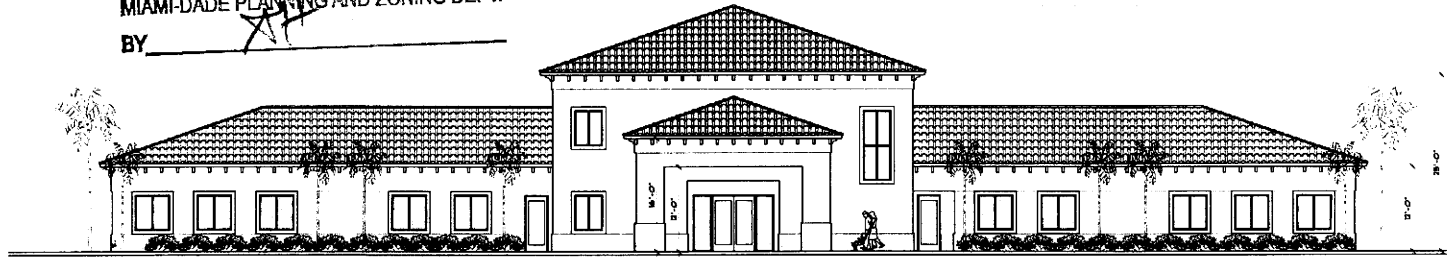


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SHEET NO. 1			
A-5 of 7			

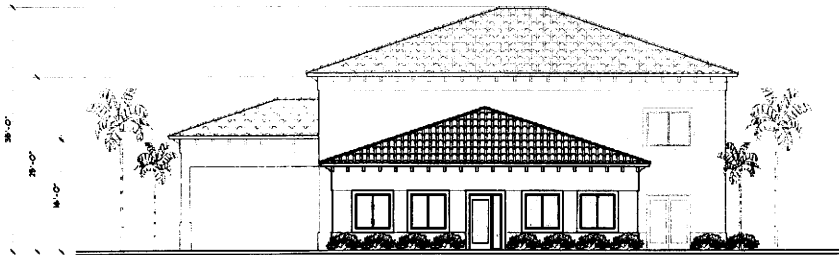
RECEIVED  
MIAMI-DADE COUNTY  
PLANNING & ZONING  
DATE: AUG 13 2013  
BY: [Signature]

RECEIVED  
212-085  
AUG 13 2013

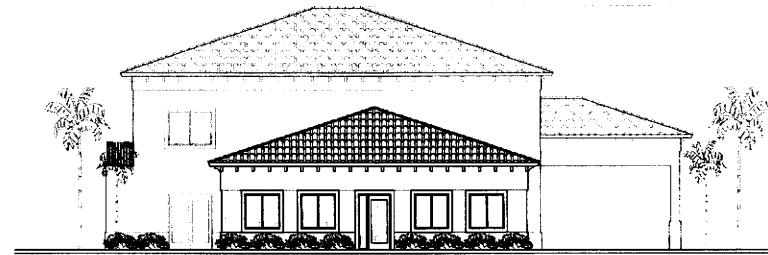
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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]



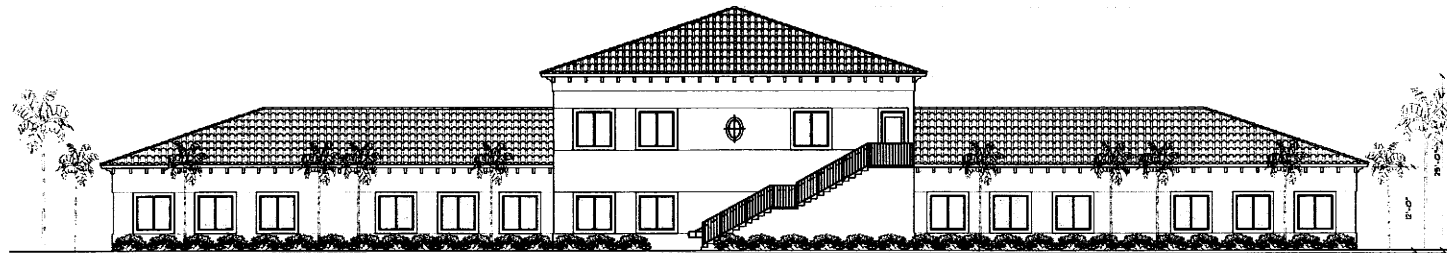
FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



SIDE ELEVATION (WEST) ——— 1/8" = 1'-0"



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



REAR ELEVATION (SOUTH) ——— 1/8" = 1'-0"

REVISIONS

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 55th STREET AND 147th AVENUE

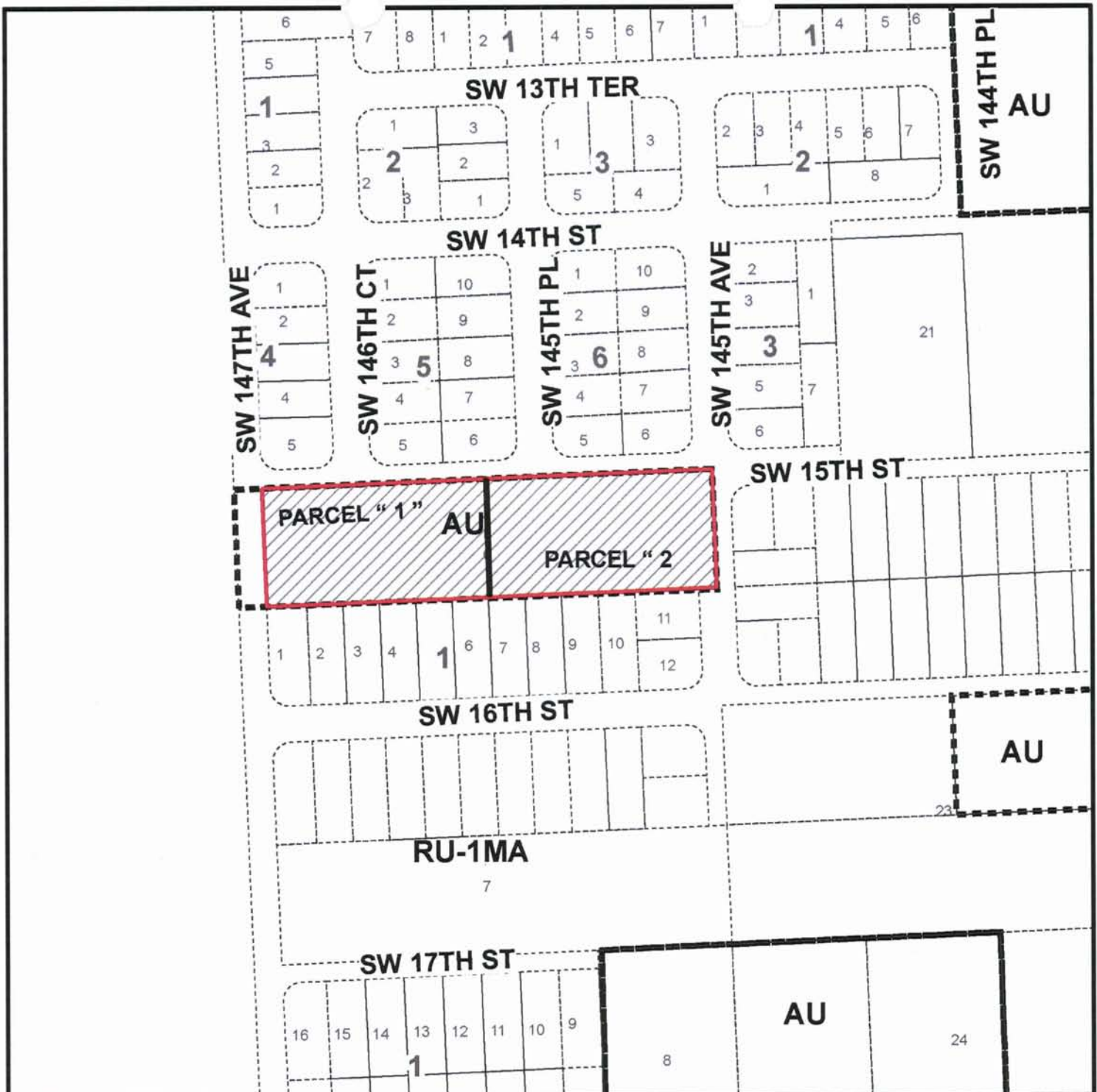
Corporate License  
#44000389  
Professional Seal  
[Signature]  
SARIEL VILLAVENIDA  
INC. ARCHITECT

VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
7544 SW 45 STREET  
MIAMI, FL 33155  
CONSULTANT



DATE: 08-08-13	SCALE: 1/8"
DATE SUBMITTED FOR REVIEW: 08-08-13	
DRAWING NO: A-7 OF 7	

48





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		49





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend

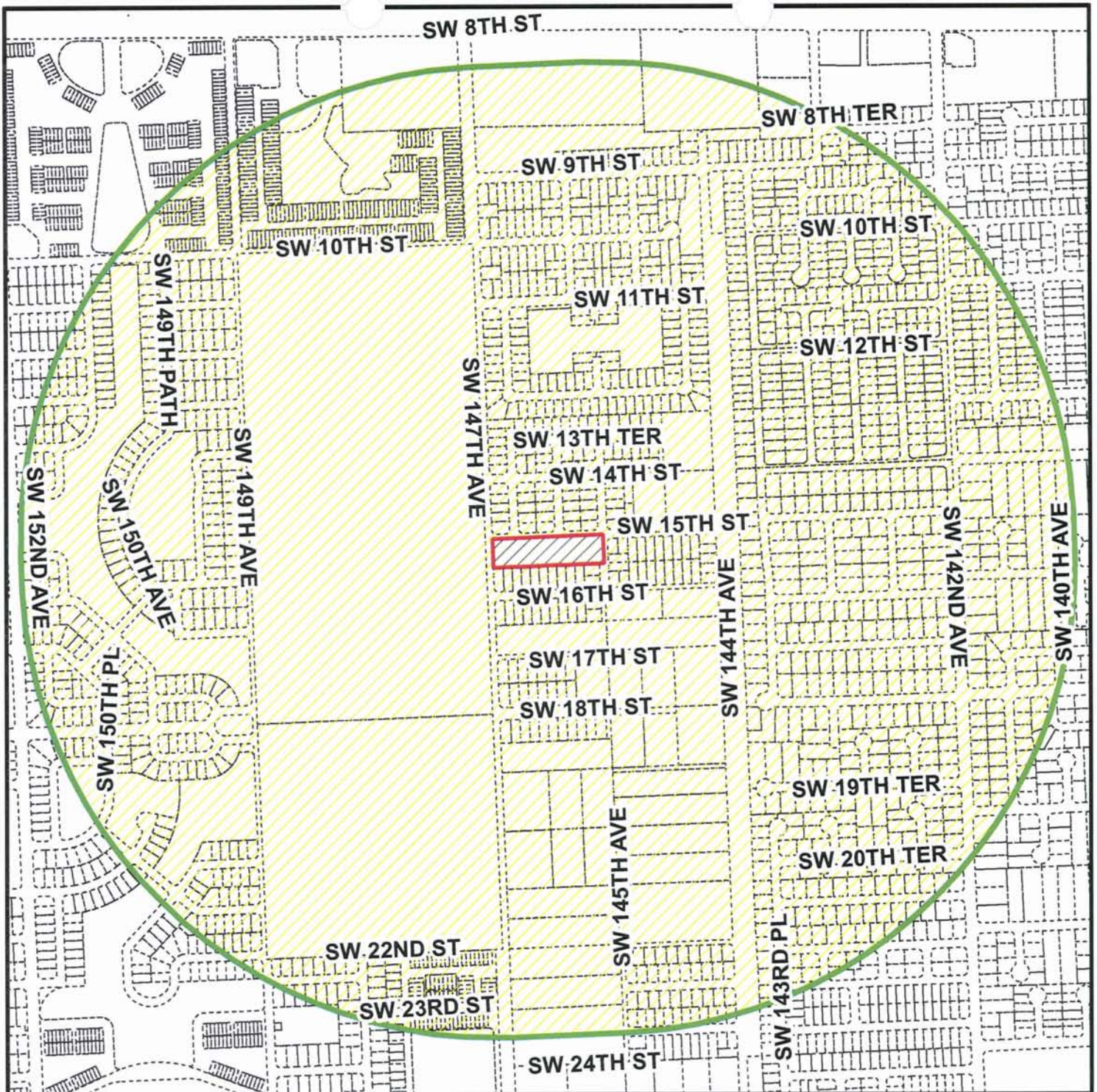
 Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		50





**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Process Number

**Z2012000085**

RADIUS: 2640



**Legend**

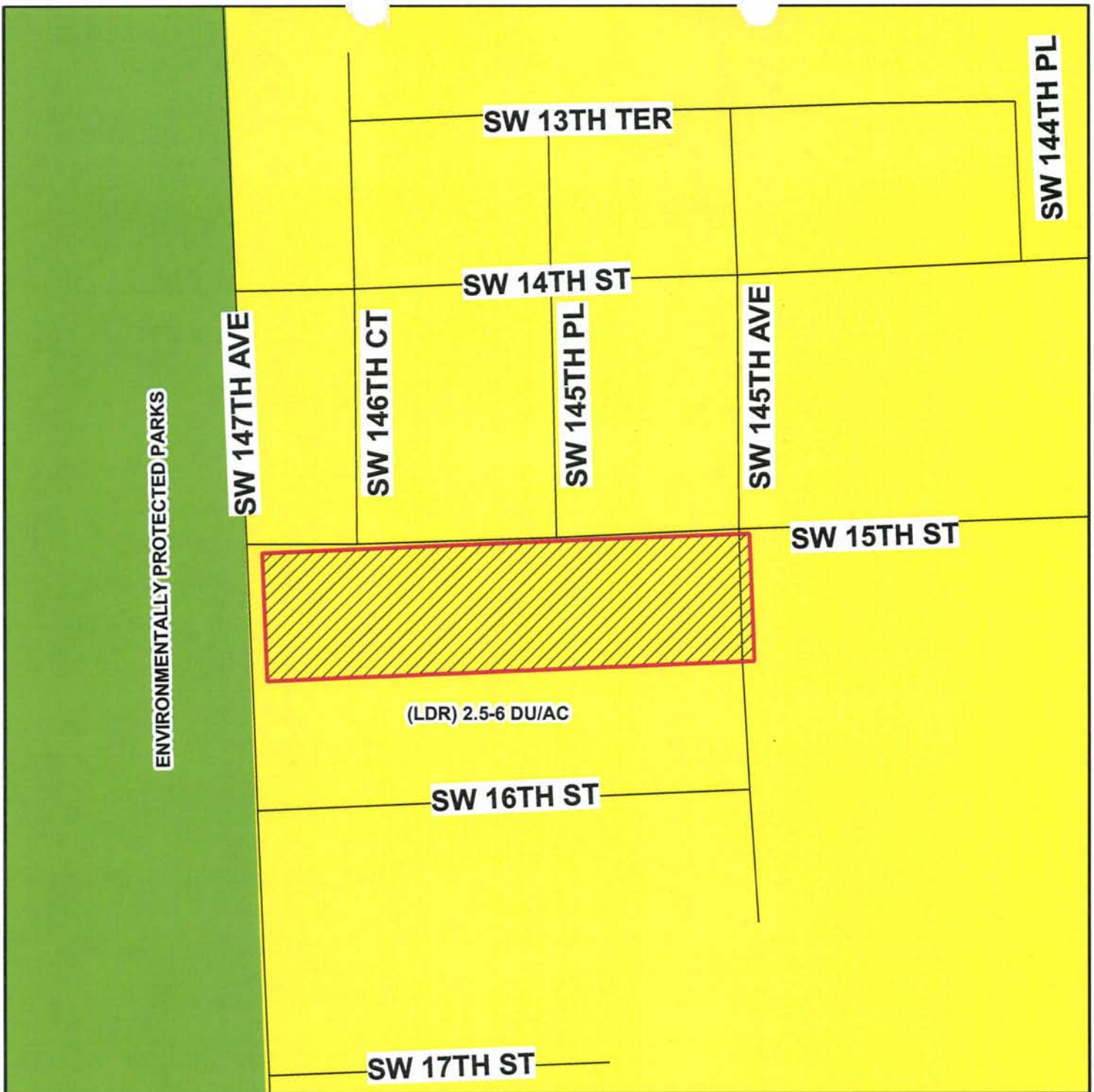
-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		51





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000085**



Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY

This instrument was prepared by:

Name: Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez, P.A.

Address: 200 South Biscayne Blvd., Suite 850  
Miami, Florida 33131

JULMAR 147 INVESTMENT,  
LLC.

# 12-085

Item A

Received by  
Zoning Agenda Coordinator

JUL 02 2013

(Space reserved for Clerk)

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**DECLARATION OF RESTRICTIONS - SCHOOL**

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described as the West 305 feet of the North ½ of Tract 6 lying in Section 10, Section 54 South, Range 39 East of "J.G. Heads Farms", according to the Plat thereof, recorded in Plat Book 46, at page 44, of the Public Record of Miami-Dade County, and hereinafter called the "Property," which is supported by the attorney's opinion, and

WHEREAS, the undersigned Owner intends to develop the Property as a daycare and school for grades Pre-Kindergarten through Second grade ("School"), and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 12-085 ("Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Approved Plan for the Property.** The Property shall be developed substantially in accordance with the plans as applied to the Property previously submitted, prepared by Villa & Associates, A.I.A, entitled, "Higher Learning Educational Center & 6 Residential Lots," consisting of four (4) sheets dated stamped received August 21, 2012, and three (3) sheets dated stamped received August 13, 2012, said plans being on file with the Miami- Dade County Department of Regulatory and Economic Resources, and by reference made a part of this Declaration.
- (2) **School's Compatibility with Residential Area.** The School shall be developed, constructed and maintained in a manner that is compatible with the surrounding residential area.

(a) The Owner shall install a six (6) foot CBS or prefabricated wall along the South property line of Parcel A prior to the issuance of the first vertical building permit for Parcel A. No openings shall be permitted. The façade of such

(Public Hearing)

CBS or prefabricated wall shall be maintained and the Owner shall repair any damage caused by an act of nature or vandalism within three (3) weeks of said act. However, in the event of a hurricane or other catastrophe, the Owner shall have six (6) months to repair any damage.

(b) The Owner shall install a four (4) foot aluminum post fence (not chain-linked) with an antique bronze or white paint finish along the North and West property lines of Parcel A prior to the issuance of a Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) for Parcel A, whichever is first. Landscape material consisting of a hedge at least two (2) feet in height (at the time of planting) shall be planted and maintained within Parcel A immediately abutting the four (4) foot aluminum post fence. Such fence shall be equipped with as many doors, gates or openings as necessary to permit safe vehicular and pedestrian access during the daycare and school's hours of operation. Doors, gates, or openings shall be strictly monitored to ensure the safety of children, employees, parents/guardians and visitors.

(c) The queuing and drop-off circular drive adjacent to SW 15 Street shall be constructed of pavers, concrete, stamped concrete or similar materials architecturally compatible with a single family neighborhood. Under no circumstances, shall the surface of said circular drive be asphalt.

(d) Sanitation/recycling pick-up shall be performed between the hours of 9:00 AM and 5:00 PM, Monday through Friday. The trash dumpster shall be equipped with a working lid and remain closed unless in active use. In addition, the Owner shall pressure clean the dumpster and its enclosure at least once per month. The Owner shall maintain a cleaning log.

(e) All outdoor lighting within Parcel A shall not exceed fifteen (15) feet in height and shall be designed pursuant to Section 33-4.1 of the Miami-Dade County Code to prevent spillage onto the abutting properties.

(f) The storage of vehicles in excess of eighteen (18) feet in length, including all types of "yellow" school buses is prohibited in the School parking area. The storage of equipment, materials, or other related items is prohibited within the School parking area.

(g) The School shall have a specific point of contact to serve as a conduit for the exchange of information between the School and the neighborhood. The point of contact's name, email, mailing address, phone, and hours of availability shall be provided via written correspondence to all property owners within five hundred (500) feet of Parcel A. This written notice shall be provided on an

(Public Hearing)

(Space reserved for Clerk)

annual basis no later than fifteen (15) days prior to the commencement of each academic year.

(h) The use of Parcel A for commercial purposes such as renting, leasing, or allowing third parties unaffiliated with the operations of the School is prohibited.

(i) The use and location of any fixed amplified speaker(s), announcer equipment or similar audible enhancing equipment is prohibited on the exterior portions of the School building and Parcel A. Amplified sound from inside the School building shall not be audible from the Parcel A perimeter property line boundaries. Security alarms, fire alarms and other similar emergency notification/preparedness audible sounds shall be exempt from this Paragraph.

(j) The School shall be painted in an earthen hue color scheme to ensure compatibility with the residential character of the surrounding area. No caricatures or kitsch features shall be painted or located in the exterior of the School building or Parcel A.

(k) All signage on Parcel A shall conform to the Miami-Dade County Code, and shall be directed away from the East and South.

(l) All regularly scheduled service and deliveries shall be conducted by vans, light trucks, and medium trucks, not heavy trucks.

- (3) **School Operational Plan.** The School shall strictly observe, monitor and enforce an Operational Plan among all students, employees, parents/guardians and visitors. The Operational Plan shall be distributed to all parents/guardians and employees prior to enrollment or employment, and shall be executed by all parents/guardians and employees prior to enrollment or employment. At minimum, the Operational Plan shall provide the following, which by reference made a part of this Declaration:

(a) The number of students shall be limited to 200.

(b) The school day shall commence at 8:00 AM for daycare and Pre-Kindergarten, and 8:30 AM for Kindergarten through Second grade. The School day shall end at 2:30 PM for daycare and Pre-kindergarten, and 3:00 PM for Kindergarten through Second grade. The School may operate Monday through Friday only, and may provide before and after school services and activities no earlier than 7:00 AM and no later than 6:30 PM.

(Public Hearing)



(Space reserved for Clerk)

(c) For students not enrolled in before or after school services and activities, drop-off shall occur between the hours of 7:30 AM through 9:00 AM and pick-up shall occur between the hours of 2:00 PM and 3:30 PM. All children shall be dropped-off and picked up by parents. Parents may hire private transportation vehicles for their children. All private transportation providers shall receive and adhere to the School's Operational Plan.

(d) All vehicles shall enter the queuing and drop-off circular drive adjacent to SW 15 Street at the western-most entrance, utilizing the drop-off on the right of the vehicle. The marked stacking spaces accessible from SW 147 Avenue Drop-off may also be utilized.

(e) During the first three (3) days of each academic year, the School shall hire two (2) off-duty police officers to direct vehicles from the public rights-of-way through the queuing and drop-off circular drive between the hours of 7:30 AM through 9:00 AM and 2:00 PM and 3:30 PM. Thereafter, School employee(s) shall direct vehicles from the public rights-of-way through the queuing and drop-off circular drive between the hours of 7:30 AM through 9:00 AM and 2:00 PM and 3:30 PM every day School is in session. School employee(s) shall assist students from the vehicles to the front door of the School. Temporary traffic devices, such as traffic cones, may be utilized.

(f) Parking in the stacking spaces as well as queuing and drop-off circular drive is prohibited. Following the first three (3) days of each academic school year, parents of children over three (3) years of age shall not be permitted to park their vehicles to walk their children to class or meet with School employees without a previously scheduled appointment. All School appointments shall take place prior to 8:00 AM or after 3:30 PM.

(g) Under no circumstances shall parking associated with the School or School-related special events occur within the rights-of-way, swales, grass areas, and lawn areas outside of the Property.

(h) All School-related special events shall be conducted in a manner, such as staggering classes, to ensure adequate parking capacity and compliance with subparagraph (f). All School-related special events in which the entire student body is permitted to invite parents/guardians or guests shall be located off-site. The use of Parcel A for School activities and/or events shall be prohibited between the hours of 9:00 PM and 6:00 AM, seven days per week.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly

(Public Hearing)

(Space reserved for Clerk)

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authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification. Amendment. Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition

(Public Hearing)

to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation

(Public Hearing)



(Space reserved for Clerk)

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or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

(Space reserved for Clerk)

**LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on this 14 day of March, 2013.

IN WITNESS WHEREOF, Julmar 147 Investment, LLC, has caused these presents to be signed in its name by its proper officials.

**Witnesses:**

Signature

Print Name

Signature

Print Name

**JULMAR 147 INVESTMENT, LLC**

Address:

14850 SW 26 Street  
Miami FL 33185

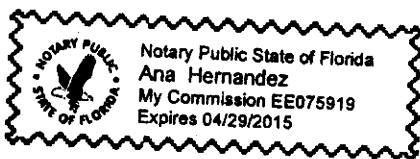
By Mario Castellanos  
(Managing Member)

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Mario Castellanos the Managing Member of Julmar 147 Investment, LLC, on behalf of the LLC. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 14 day of March 2013, in the County and State aforesaid.



My Commission Expires: 4/29/2015

Signature

Notary Public-State of Florida

Print Name

(Space reserved for Clerk)

### JOINDER BY MORTGAGEE - TRUSTEE

The undersigned Oscar Castilla, as Successor Trustee of the Manuel Calas Revocable Trust and Mortgagee under that certain Mortgage Deed, Assignment of Leases, and Security Agreement from Julmar 147 Investment, LLC, dated the 10th day of July, 2012, and recorded in Official Records Book 28186, Page 4149, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 12<sup>th</sup> day of MARCH, 2013

Witnesses:

Eugenio Duarte  
Signature

Alexa Duarte  
Print Name

Alexa Duarte  
Signature  
Alexa Duarte  
Print Name

Oscar Castilla  
Trustee Signature  
Print Name OSCAR CASTILLA  
Address: 1717 N. BAYSHORE DR. #2451  
MIAMI FL 33132

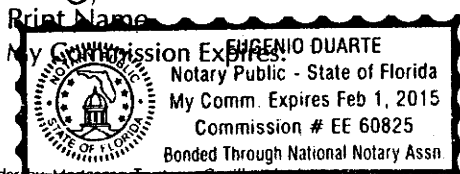
### STATE OF FLORIDA COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Oscar Castillo, Successor Trustee, to me personally known or produced \_\_\_\_\_, as identification and who acknowledged the foregoing instrument for the purposes therein contained, and acknowledged that he was authorized under the trust to execute said instrument on behalf of the beneficiaries of the trust.

Witness my signature and official seal this 12<sup>th</sup> day of MARCH, 2013, in the County and State aforesaid.

Eugenio Duarte  
Notary Public State of Florida

Print Name



(Space reserved for Clerk)

### JOINDER BY MORTGAGEE - INDIVIDUAL

The undersigned Fred De La Mata, Mortgagee under that certain Mortgage Deed, Assignment of Leases, and Security Agreement from Julmar 147 Investment, LLC, dated the 10th day of July, 2012, and recorded in Official Records Book 28186, Page 4149, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 12<sup>th</sup> day of March, 2013

Witnesses:

Signature

Print Name

Signature

Print Name

Signature

Fred De La Mata

Address:

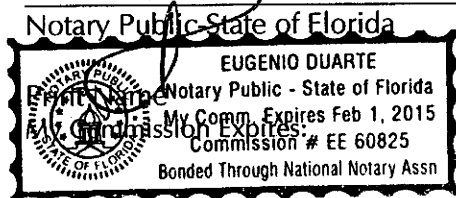
11221 W. W 48 TERR

OPRAC 33178

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Fred De La Mata, to me personally known or produced \_\_\_\_\_, as identification and who acknowledged the foregoing instrument for the purposes therein contained, and acknowledged that he was authorized under the trust to execute said instrument on behalf of the beneficiaries of the trust.

Witness my signature and official seal this 12 day of March, 2013, in the County and State aforesaid.



This instrument was prepared by:

Name: Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez, P.A.  
Address: 200 South Biscayne Blvd., Suite 850  
Miami, Florida 33131

JULIAN 147 INVESTMENT, LLC

# 12-085

Received by  
Zoning Agenda Coordinator  
JUL 02 2013

Item A

(Space reserved for Clerk)

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**DECLARATION OF RESTRICTIONS - RESIDENTIAL**

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described as the North ½ of Tract 6, less the West 305 Feet and less the North 25 Feet thereof, lying in Section 10, Section 54 South, Range 39 East of "J.G. Heads Farms", according to the Plat thereof, recorded in Plat Book 46, at page 44, of the Public Record of Miami-Dade County, and hereinafter called the "Property," which is supported by the attorney's opinion, and

WHEREAS, the undersigned Owner intends to develop the Property as a six single family residences, and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 12-085 ("Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Approved Plan for the Property.** The Property shall be developed substantially in accordance with the plans as applied to the Property previously submitted, prepared by Villa & Associates, A.I.A, entitled, "Higher Learning Educational Center & 6 Residential Lots," consisting of four (4) sheets dated stamped received August 21, 2012, and three (3) sheets dated stamped received August 13, 2012, said plans being on file with the Miami- Dade County Department of Regulatory and Economic Resources, and by reference made a part of this Declaration.
- (2) **Density.** The development of the Property shall be limited to a maximum of six units per gross acre for a total of six single-family residential lots.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the

(Public Hearing)



requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification. Amendment. Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in

addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its

(Public Hearing)



(Space reserved for Clerk)

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full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]



(Space reserved for Clerk)

**LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on this 8 day of March, 2013.

IN WITNESS WHEREOF, Julmar 147 Investment, LLC, has caused these presents to be signed in its name by its proper officials.

**Witnesses:**

Ramon Castellanos  
Signature  
Ramon Castellanos  
Print Name  
Ramon Castellanos  
Signature  
Ramon Castellanos  
Print Name

JULMAR 147 INVESTMENT, LLC

Address:

By Mario Castellanos  
(Managing Member)

**STATE OF FLORIDA**

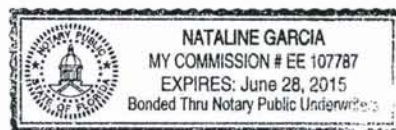
**COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Mario Castellanos the Managing Member of Julmar 147 Investment, LLC, on behalf of the LLC. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 8<sup>th</sup> day of March 2013, in the County and State aforesaid.

Nataline Garcia  
Signature  
Notary Public-State of Florida  
Nataline Garcia  
Print Name

My Commission Expires: 6/28/2015



(Space reserved for Clerk)

### JOINDER BY MORTGAGEE - TRUSTEE

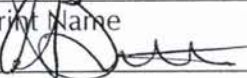
The undersigned Oscar Castilla, as Successor Trustee of the Manuel Calas Revocable Trust and Mortgagee under that certain Mortgage Deed, Assignment of Leases, and Security Agreement from Julmar 147 Investment, LLC, dated the 10th day of July, 2012, and recorded in Official Records Book 28186, Page 4149, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 12 day of MARCH, 2013

Witnesses:

  
\_\_\_\_\_  
Signature

Eugenio Duarte  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature

Alexa Duarte  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Trustee Signature

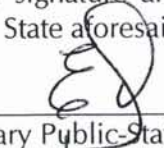
Print Name OSCAR CASTILLA

Address: 1717 N. BAYSHORE DR. #2451  
MIAMI FL 33132

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

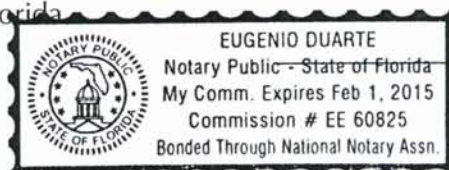
The foregoing instrument was acknowledged before me by Oscar Castillo, Successor Trustee, to me personally known or produced \_\_\_\_\_, as identification and who acknowledged the foregoing instrument for the purposes therein contained, and acknowledged that he was authorized under the trust to execute said instrument on behalf of the beneficiaries of the trust.

Witness my signature and official seal this 12 day of MARCH, 2013, in the County and State aforesaid.

  
\_\_\_\_\_  
Notary Public - State of Florida

Print Name

My Commission Expires:



(Space reserved for Clerk)

### JOINDER BY MORTGAGEE - INDIVIDUAL

The undersigned Fred De La Mata, Mortgagee under that certain Mortgage Deed, Assignment of Leases, and Security Agreement from Julmar 147 Investment, LLC, dated the 10th day of July, 2012, and recorded in Official Records Book 28186, Page 4149, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 12<sup>th</sup> day of March, 2013

Witnesses:

Signature

Eugenio Duarte

Print Name

Signature

Alexa Duarte

Print Name

Signature

Fred De La Mata

Address:

10221 N.W. 48 TERR

DORAL FL 33178

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Fred De La Mata, to me personally known or produced \_\_\_\_\_, as identification and who acknowledged the foregoing instrument for the purposes therein contained, and acknowledged that he was authorized under the trust to execute said instrument on behalf of the beneficiaries of the trust.

Witness my signature and official seal this 12<sup>th</sup> day of March, 2013, in the County and State aforesaid.





JUL 147 INVESTMENT, LLC

#12-085

Item A.

*Marlene Leon-Rubido*

Attorney At Law

Coral Way Law Center

6780 Coral Way

Miami, Florida 33155

email: marlenerubido@earthlink.net

Received by  
Zoning Agenda Coordinator

JUL 02 2013

Tel: (305) 596-2211

Tel: (305) 261-4000

Fax: (305) 669-9202

**MIAMI-DADE COUNTY**  
**OPINION OF TITLE**

To: Miami-Dade County, a political subdivision of the State of Florida.

With the understanding that this opinion of title is furnished to Miami-Dade County, Florida, as an inducement for acceptance of Declaration of Restrictions pursuant to P.H. No. 12-085, covering the real property hereinafter described, it is hereby certified that I have examined Old Republic National Title Insurance Company, Owner's Policy of Title Insurance #OF6-8065207 with effective date of July 13, 2012, together with certified computer search covering the period from the effective date of the Commitment through February 21, 2013 (the "Search"), inclusive of the following described real property:

The North ½ of Tract 6, lying in Section 10, Township 54 South, Range 39 East, of J.G. Head's Farms, according to the Plat thereof, recorded in Plat Book 46, at page 44, of the Public Records of Miami-Dade County, Florida.

Folio: 30-4910-003-0050

Basing my opinion on said Title Policy and Title Search Report covering said period, I am of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in:

JULMAR 147 INVESTMENT, LLC  
A Florida Limited Liability Company

(Trustee Deed, filed July 13, 2012, recorded in O.R. Book 28186, page 4129, Public Records of Miami-Dade County, Florida) AND Warranty Deed, filed July 13, 2012, recorded in O.R. Book 28186, page 4131, Public Records of Miami-Dade County, Florida)

(NOTE: Mario Castellanos, as Manager of Julmar 147 Investment, LLC, a Florida Limited Liability Company, is authorized to executed instruments and documents on behalf said Company.)

Subject to the following liens, encumbrances, and other exceptions:

**General Exceptions:**

1. All taxes for the year in which this opinion is rendered, unless noted below that such

taxes have been paid. Taxes for 2011 are paid.

2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmen's liens.
5. Zoning and other restrictions imposed by governmental authority.

**Special Exceptions:**

1. Mortgage Deed, Assignment of Leases, and Security Agreement in favor of Fred De La Mata, and Oscar Castilla, as Successor Trustee of the Manuel Calas Revocable Trust dated November 12, 2001, filed July 13, 2012 recorded in O.R. Book 28186, page 4139, in the Public Records of Miami-Dade County, Florida.

2. Assignment of Leases, Rents, and Profits, in favor of Fred De La Mata, and Oscar Castilla, as Successor Trustee of the Manuel Calas Revocable Trust dated November 12, 2001, filed July 13, 2012 recorded in O.R. Book 28186, page 4149, in the Public Records of Miami-Dade County, Florida.

3 All matters contained on the Plat of J.G. Heads Farms, as recorded in Plat Book 46, page 44, Public Records of Miami Dade County, Florida.

4. Assignment of Easement recorded in O.R. Book 14906, page 1117, Public Records of Miami Dade County, Florida.

5. Easement recorded in O.R. Book 26643, page 4960, Public Records of Miami Dade County, Florida.

6. Covenant Running with the Land in favor of Miami-Dade County, recorded in O.R. Book 28279, Page 566, Miami Dade County, Florida.

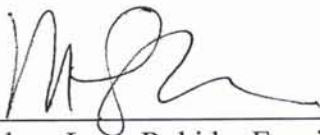
7. Ordinance 13/03 for Julmar Subdivision Street Lighting, recorded in O.R. Book 28483, Page 4449, Miami Dade County, Florida.

Therefore, it is my opinion that the following parties must join the platting of the above described real property in order to grant MIAMI DADE COUNTY, FLORIDA, and the public a good and proper title to the dedicated areas shown on the final plat of the aforescribed property, the subdivision thereof to be known as JULMAR SUBDIVISION.

Name	Interest	Special Exception Number
JULMAR 147 INVESTMENT, LLC		Fee Simple
Fred De La Mata		Mortgage Holder
Oscar Castilla, as Successor Trustee of the Manuel Calas Revocable Trust dated November 12, 2001		Mortgage Holder

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice law in the State of Florida and am a member in good standing of the Florida Bar.

Respectfully submitted this 6 Day of March, 2013.



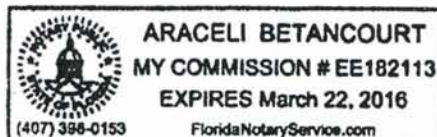
Marlene Leon-Rubido, Esquire  
6780 Coral Way  
Miami, Florida 33155  
(305)-596-2211  
marlenerubido@earthlink.net

Sworn to and Subscribed before me this 6 Day of March, 2013.



Notary Public

My Commission Expires:





PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



1

HEARING NUMBER: Z2012000085

BOARD: BCC

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 24-JUN-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE:

*Thomas R. Gomez*

PRINT NAME:

THOMAS GOMEZ



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2012000085

BOARD: BCC

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 24-JUN-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

THOMAS GOMEZ



HEARING NO. 12-12-CZ10-1 (12-85)

APPLICANT: JULMAR 147 INVESTMENT, LLC

The applicant is appealing the decision of CZAB10 which denied without prejudice the following:

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

REQUEST #1 ON PARCELS "1" & "2"

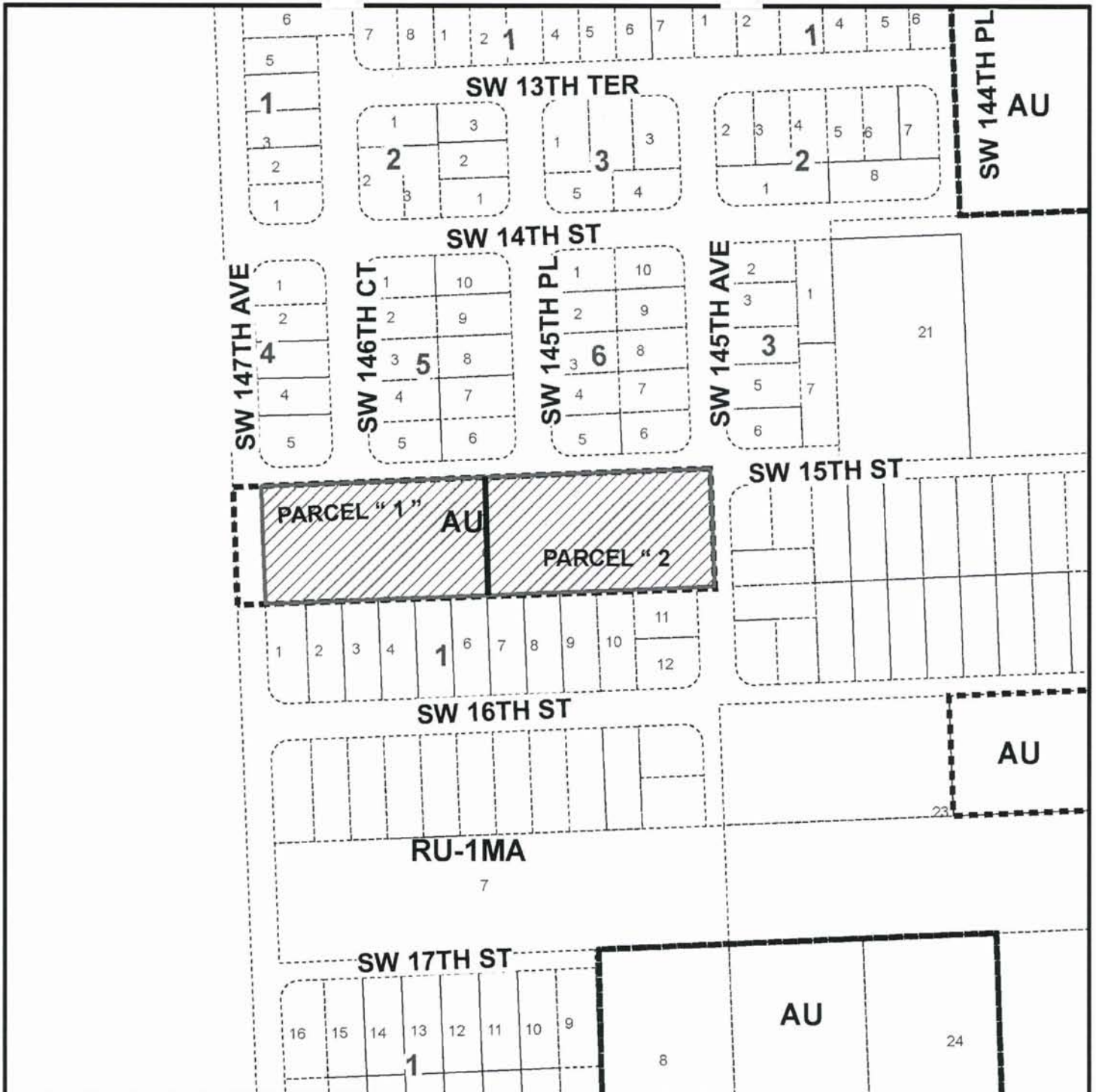
- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a daycare.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and within drives 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

REQUESTS #2 THROUGH #6 ON PARCEL "1"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

LOCATION: Lying South of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Gross Acres





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

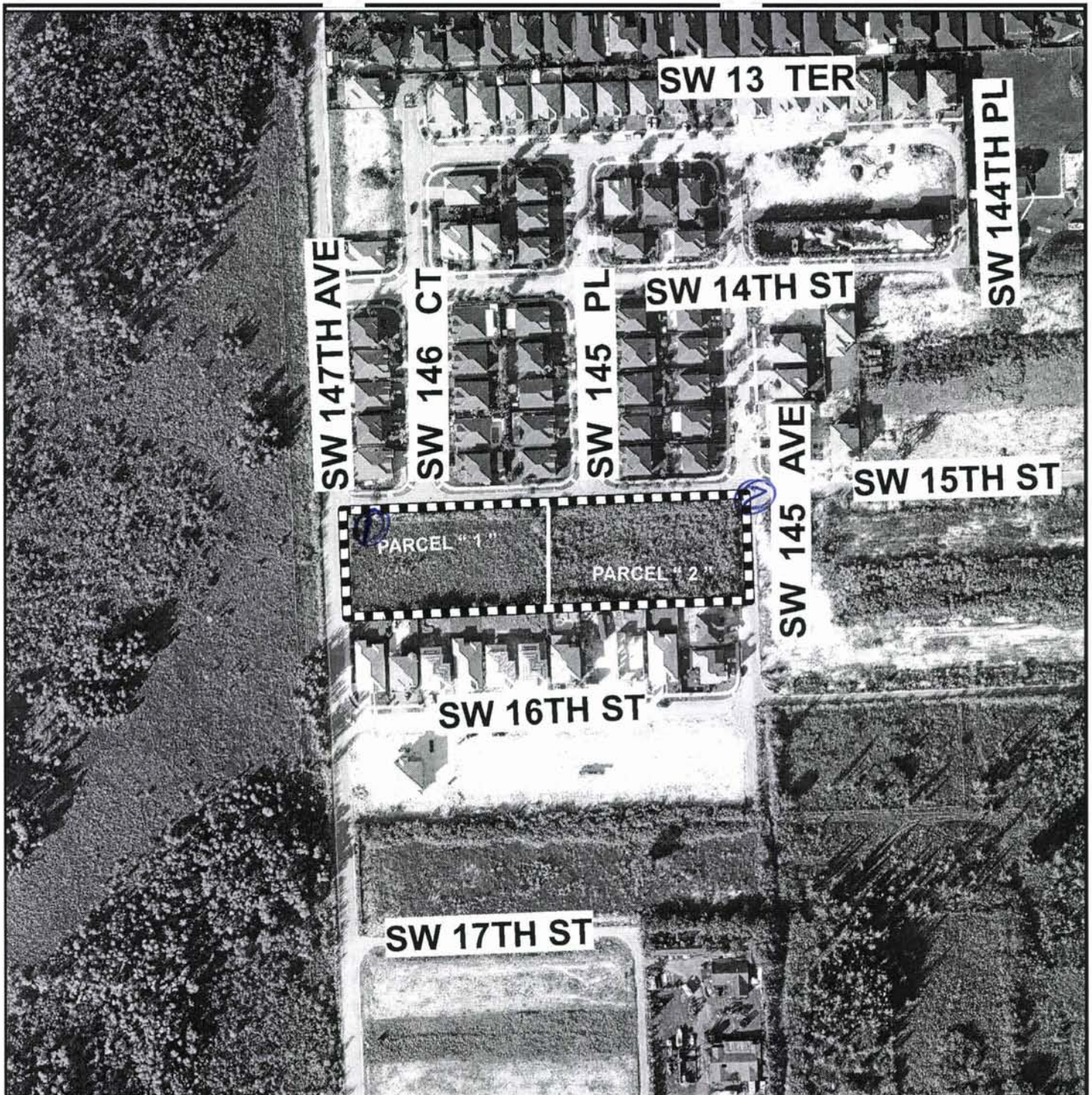
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend

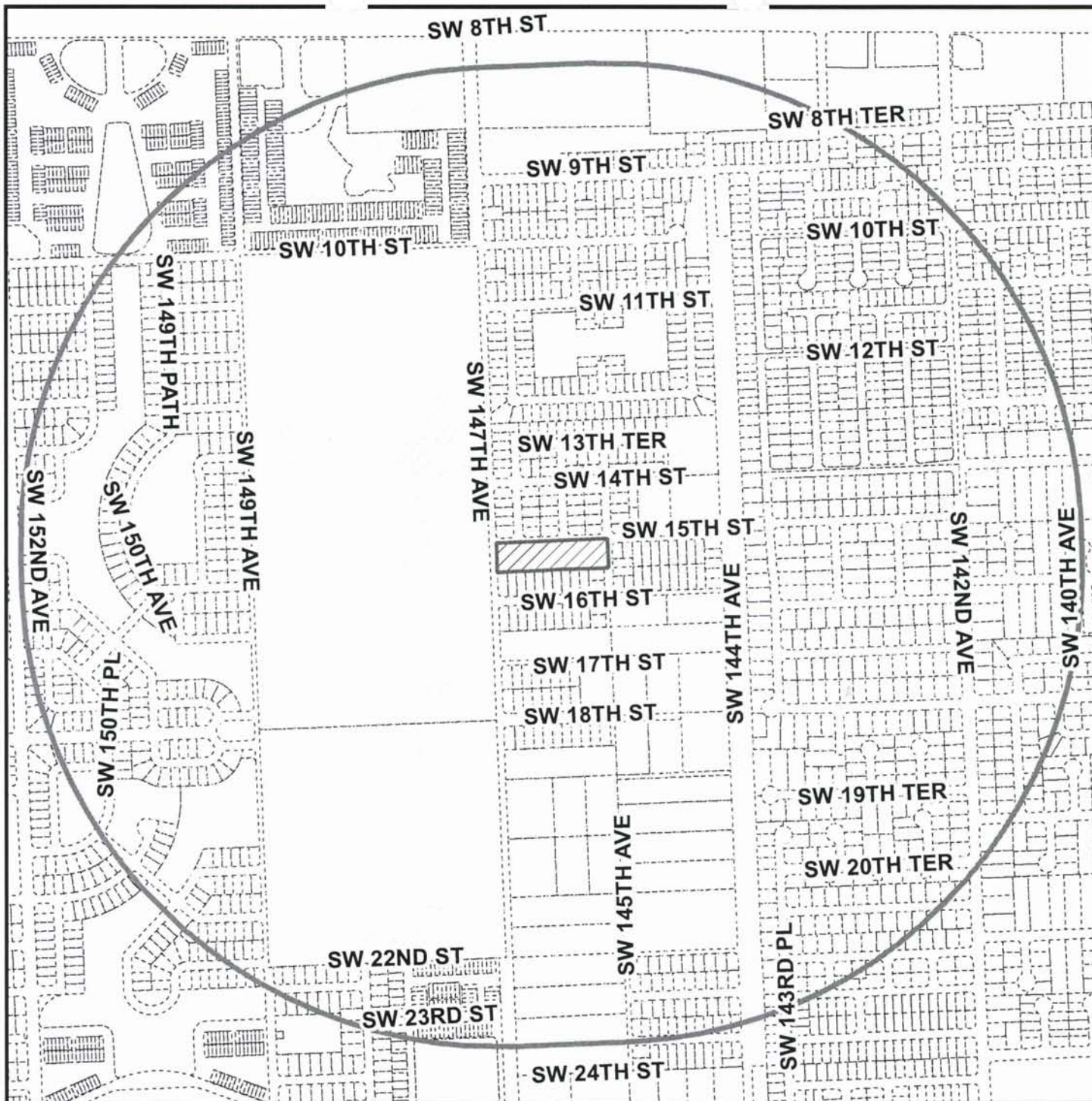
 Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number



**Z2012000085**

RADIUS: 2640

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS



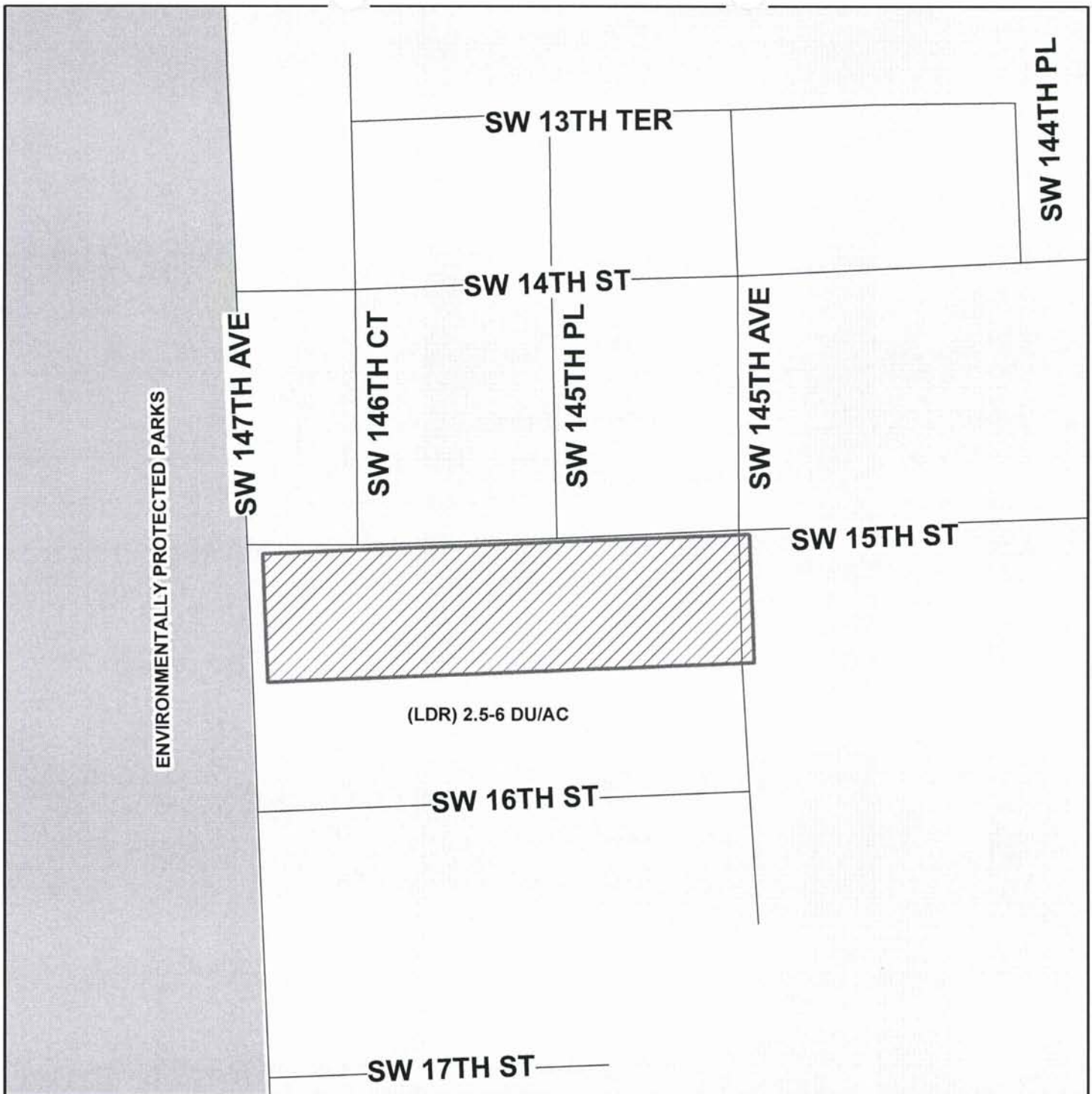
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

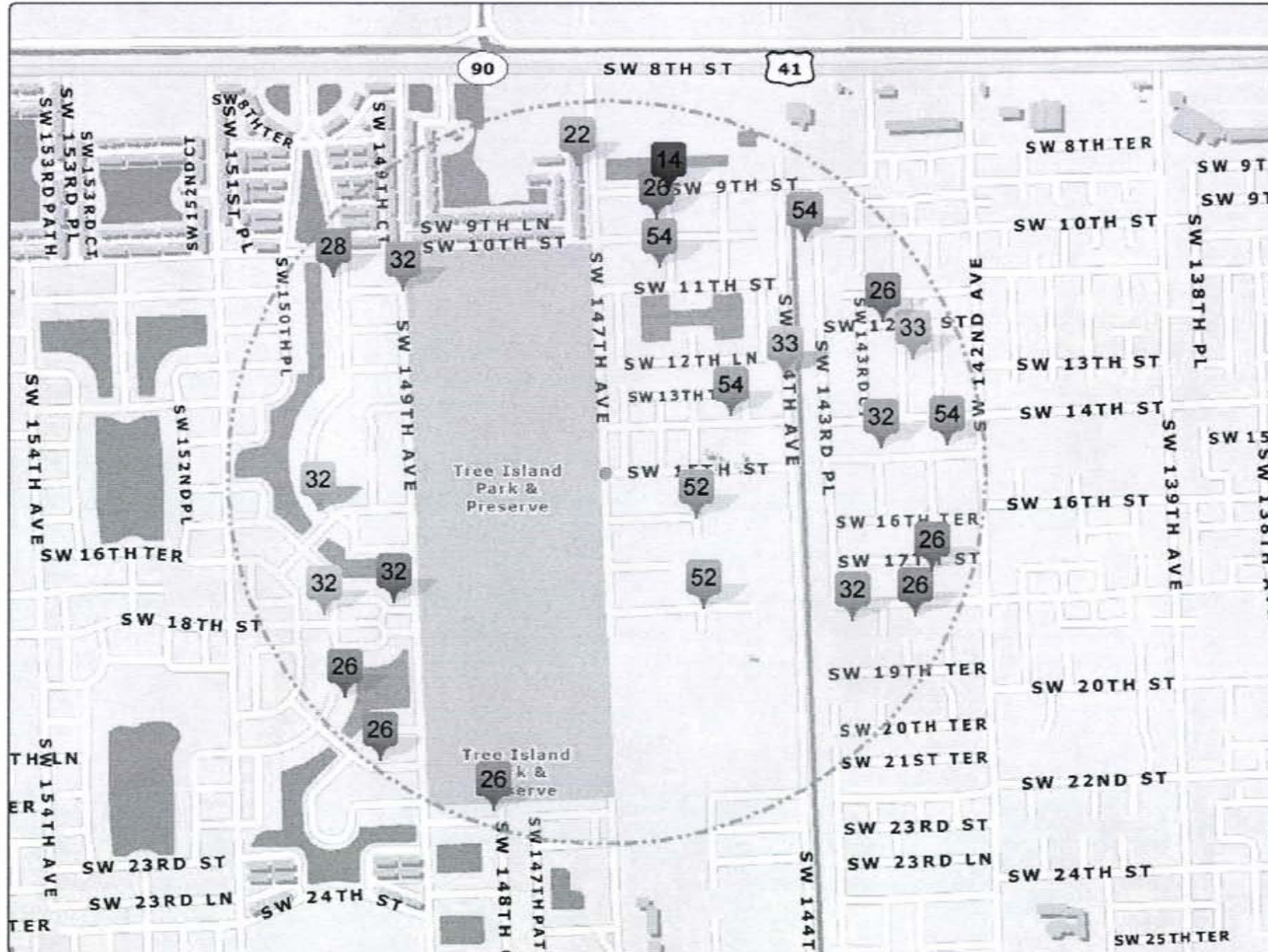
REVISION	DATE	BY



# OSCAR CASTILLA TRUSTEE

Z2012000085 2012 SELECTED CRIMES (JAN 1 - JULY 2) 0.5 MI

Miami-Dade Police Department



## Map Legend

CAS Incidents (27)

- 26R - Burglary Residential (7)
- 52 - Narcotics Investigation (5)
- 54 - Fraud (4)
- 32 - Assault (3)
- 32D - Domestic Assault (2)
- 33R - Sex Offense Rape (2)
- 22S - Auto Theft Stolen (1)
- 14 - Conduct Investigation (1)
- 28 - Vandalism (1)
- 32A - Aggravated Assault (1)

This map was prepared using Miami-Dade County's (MDC) Geographic Information System (GIS). As is the case with all public records information, the nature of the data and the collection processes limit the ability of any aggregator to independently validate data and content. Every effort has been made to ensure that the information represented is accurate, however, the results cannot be guaranteed. In order to ensure the accuracy of the information supplied by MDC, the requestor should consult the official government record. Based on these limitations, MDC is unable to guarantee the accuracy of the information represented. Employees or agents disclaim all warranties, expressed or implied, as to any matter whatsoever and shall not be responsible for any loss or damage that may directly or indirectly arise as the result of use of information contained in the County's GIS.

CrimeView Server  
Printed: 7/2/2012 4:32:57 PM

# Memorandum



244698

**Date:** September 26, 2012

**To:** Jack Osterholt, Deputy Mayor/Director  
Regulatory and Economic Resources Department

**From:** Jack Kardys, Director  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS

### Local Recreation Open Space Level of Service, 2012

Park Benefit District	Unincorporated Population (1) Plus Permitted Development	Standard @ 2.75 Acres Per 1000 Residents	Public Park Acres (2)	School Acres (3)	Private Open Space Acres (4)	Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
1	370,546	1,019.00	763.09	299.82	267	1,329.91	310.91	131%
2	600,714	1,651.96	1,317.61	356.30	473	2,146.91	494.95	130%
3	154,867	425.88	448.99	96.62	89	634.61	208.73	149%
<b>TOTAL</b>	<b>1,126,127</b>	<b>3,096.85</b>	<b>2,529.69</b>	<b>752.74</b>	<b>829</b>	<b>4,111.43</b>	<b>1,014.58</b>	<b>133%</b>

Source: (1) Miami Dade Department of Planning and Zoning, June 2012

(2) Miami-Dade County Park and Recreation Department, Planning and Research Division, June 2012

(3) Miami-Dade County School Board, Site Planning Department 11/28/08

(4) Private Open Space is one-half of total private acres.



# Memorandum



**Date:** September 28, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Kathleen Woods-Richardson, Director  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in black ink, reading "Kathleen Woods-Richardson".

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

c: Paul Mauriello, Assistant Director, Operations  
Christopher Rose, Assistant Director, Administration  
Asok Ganguli, Assistant Director, Technical Services  
Michael Moore, Assistant Director, Disposal Operations

Public Works and Waste Management Department (PWMM)  
Solid Waste Management Disposal Facility Available Capacity  
From Fiscal Year 2012-13 Through Fiscal Year 2028-29

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	CONTRACT DISPOSAL	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity				
OCT. 1, 2012 TO SEPT. 30, 2013	1,522,000	1,551,718	194,000	1,357,718	6,199,967	216,000	5,983,967	1,717,327	124,000	1,593,327	250,000	250,000	784,000	738,000
OCT. 1, 2013 TO SEPT. 30, 2014	1,522,000	1,357,718	194,000	1,163,718	5,983,967	216,000	5,767,967	1,593,327	124,000	1,469,327	250,000	250,000	784,000	738,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,522,000	1,163,718	194,000	969,718	5,767,967	216,000	5,551,967	1,469,327	124,000	1,345,327	250,000	250,000	784,000	738,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,522,000	969,718	194,000	775,718	5,551,967	216,000	5,335,967	1,345,327	124,000	1,221,327	250,000	250,000	784,000	738,000
OCT. 1, 2016 TO SEPT. 30, 2017	1,522,000	775,718	194,000	581,718	5,335,967	216,000	5,119,967	1,221,327	124,000	1,097,327	250,000	250,000	784,000	738,000
OCT. 1, 2017 TO SEPT. 30, 2018	1,522,000	581,718	194,000	387,718	5,119,967	216,000	4,903,967	1,097,327	124,000	973,327	250,000	250,000	784,000	738,000
OCT. 1, 2018 TO SEPT. 30, 2019	1,522,000	387,718	194,000	193,718	4,903,967	216,000	4,687,967	973,327	124,000	849,327	250,000	250,000	784,000	738,000
OCT. 1, 2019 TO SEPT. 30, 2020	1,522,000	193,718	193,718	0	4,687,967	216,282	4,471,685	849,327	124,000	725,327	250,000	250,000	784,000	738,000
OCT. 1, 2020 TO SEPT. 30, 2021	1,522,000	0	0	0	4,471,685	410,000	4,061,685	725,327	124,000	601,327	250,000	250,000	784,000	738,000
OCT. 1, 2021 TO SEPT. 30, 2022	1,522,000	0	0	0	4,061,685	410,000	3,651,685	601,327	124,000	477,327	250,000	250,000	784,000	738,000
OCT. 1, 2022 TO SEPT. 30, 2023	1,522,000	0	0	0	3,651,685	410,000	3,241,685	477,327	124,000	353,327	250,000	250,000	784,000	738,000
OCT. 1, 2023 TO SEPT. 30, 2024	1,522,000	0	0	0	3,241,685	410,000	2,831,685	353,327	124,000	229,327	250,000	250,000	784,000	738,000
OCT. 1, 2024 TO SEPT. 30, 2025	1,522,000	0	0	0	2,831,685	410,000	2,421,685	229,327	124,000	105,327	250,000	250,000	784,000	738,000
OCT. 1, 2025 TO SEPT. 30, 2026	1,522,000	0	0	0	2,421,685	428,673	1,993,012	105,327	105,327	0	250,000	250,000	784,000	738,000
OCT. 1, 2026 TO SEPT. 30, 2027	1,522,000	0	0	0	1,993,012	534,000	1,459,012	0	0	0	250,000	250,000	784,000	738,000
OCT. 1, 2027 TO SEPT. 30, 2028	1,522,000	0	0	0	1,459,012	534,000	925,012	0	0	0	250,000	250,000	784,000	738,000
OCT. 1, 2028 TO SEPT. 30, 2029	1,522,000	0	0	0	925,012	534,000	391,012	0	0	0	250,000	250,000	784,000	738,000
REMAINING YEARS				7			17			13			17	

ANNUAL DISPOSAL RATE (in tons)

RESOURCES RECOVERY ASHFILL	194,000
SOUTH DADE LANDFILL	216,000
NORTH DADE LANDFILL	124,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>784,000</u>

\* Ashfill capacity is for Cell 19 and Cell 20.

\*\* South Dade includes Cells 3, 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015. The Department anticipates contract renewal in 2015.

All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2010, survey with actual tons from July 2009, through June, 2010, and projected tons for July, August and September, 2010.

# Memorandum



**Date:** November 13, 2012

**To:** Jack Osterholt, Director/Deputy Mayor  
Department of Regulatory and Economic Resources

**From:** Ysela Llort, Director  
Miami-Dade Transit

**Subject:** FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Robert Pearsall, MDT  
Nilia Cartaya, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER

# Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010



# Memorandum

MIAMI DADE  
COUNTY

**Date:** September 5, 2012  
**To:** Jack Kardys, Director  
Park and Recreation Department  
**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources  
**Subject:** Blanket Concurrency Approval for Recreation and Open Space

---

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 10**

**PH: Z12-085 (12-12-CZ10-1)**

**April 23, 2013**

**Item No. A**

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Julmar 147 Investment, LLC
<b>Summary of Requests</b>	The applicant is seeking a district boundary change from AU to RU-1M(a) to permit a private school and daycare and six (6) residential lots. A special exception to permit a private school, an unusual use to permit a daycare and non-use variances of setback and right-of-way requirements.
<b>Location</b>	Lying South of SW 15 <sup>th</sup> Street, between SW 145 <sup>th</sup> Ave and SW 147 <sup>th</sup> Ave, Miami-Dade County, Florida.
<b>Property Size</b>	2.34 acres
<b>Existing Zoning</b>	AU
<b>Existing Land Use</b>	Vacant
<b>2015-2025 CDMP Land Use Designation</b>	Low Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.</b>

This item was deferred from the March 19, 2013 meeting of the Community Zoning Appeals Board (CZAB) 10 due to a lack of time. This item was also deferred from the February 19, 2013 meeting of the CZAB 10 due to an inadvertent error in the advertisement. This item was also deferred from the December 5, 2012 meeting of the CZAB 10 to allow the applicant to work with the abutting neighbors and to request representation from the Department of Regulatory and Economic Resources (Division of Environmental Resources Management) and the Department of Public Works and Waste Management.

**REQUESTS:**

**REQUEST #1 ON PARCELS "1" & "2"**

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

**REQUESTS #2, #3, #4 & #5 ON PARCEL "1"**

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a day nursery.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).



- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The applicant seeks to rezone a 2.34 acre parcel of land from AU, Agricultural to RU-1M(a), Modified Single Family Residential District and develop the site with a private school and daycare center and six residential lots.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; vacant	Low Density Residential (2.5 to 6 du)
<b>North</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 du)
<b>South</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 du)
<b>East</b>	RU-1MA; vacant	Low Density Residential (2.5 to 6 du)
<b>West</b>	RU-1MA; vacant	Environmentally Protected Park

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.34 acre site, located at the southeast corner of SW 15<sup>th</sup> Street between SW 147<sup>th</sup> Ave and SW 145<sup>th</sup> Ave. The subject property is surrounded by single-family residences, vacant land and an environmentally protected park.

**SUMMARY OF IMPACT:**

The approval of this application will allow the applicant to provide the community with additional educational services and housing in the area. The requested variances could have a minimal impact on traffic and a minimal visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as ***Low Density Residential*** on the Comprehensive Development Master Plan's (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, which would result in the maximum development of 14 residential units on this 2.34 acre site. However, the requested RU-1M(a) zoning district would allow a density higher than six (6) units per acre, which would be *inconsistent* with the LUP map's density allowed without a covenant limiting the maximum number of units to no more than six (6) units per acre.

Therefore, the applicant has proffered a covenant restricting the development of the 2.34 acre parcel to a maximum of 6.0 dwelling units per gross acre, which is the maximum allowed under the density threshold of the LUP map. The applicant is proposing to develop 1.18 acres of the 2.34 acre parcel (Parcel 2) with six (6) single-family residences, which is less than the maximum of seven (7) units allowed on the 1.18 acre parcel. Therefore, the development of the site with the proffered covenant will be **consistent** with the density threshold of the LUP map of the CDMP.

The CDMP Education Element Objective EDU-3 discusses suitable sites for the development and expansion of public educational facilities. **Policy EDU-3A** provides that "it is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools". In accordance with said policy, the subject property, which proposes a private elementary school and daycare, is located approximately 0.55 miles south of the UDB, which runs east to west along SW 8 Street in this area of the County, and 1.0 mile east of the UDB, which runs north to south along SW 157 Avenue in this area of the County and therefore **consistent** with said policy.

The adopted Interpretive Text of the CDMP Land Use Element under Residential Communities states that neighborhood and community services including **schools**, parks, houses of worship, **daycare centers**, group housing facilities, and utility facilities are permitted only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Compatibility shall be determined in accordance to Policy LU-4A. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of the Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change and proposed educational use. Therefore, staff opines that for the reasons previously discussed the proposed requests with the proffered covenant restricting the development of the site to a maximum of 6.0 dwelling units per acre, are **consistent** with the *Low Density Residential* designation and the Land Use Element interpretative text for Residential Communities and compatible with the surrounding area based on the that Land Use Element Policy LU-4A compatibility criteria.

### **ZONING ANALYSIS:**

The site plans submitted indicate that a private school and daycare for 200 children is proposed on the west portion of the site (parcel #1) and six (6) single-family lots are proposed on the east portion of the site (parcel #2).

When request #1, to permit a district boundary change from AU to RU-1MA is analyzed under Section 33-311, District Boundary Change, staff is of the opinion that the approval of this request will not have an unfavorable impact on the economy or on the environmental and natural resources of Miami-Dade County. Staff opines that the developments proposed by this application will not unduly burden water, sewer, solid waste disposal, recreation, education or

other necessary public facilities nor unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways based on the memoranda from the Miami-Dade County Departments concerned with reviewing this application. Therefore, staff opines that approval of request #1 is **compatible** with the neighborhood development trend and would serve a public benefit warranting the approval of the application. Furthermore, staff is of the opinion that the proposed zone change to RU-1M(a) is **compatible** with the residential development trend as evidenced by the similar rezonings in the surrounding area. Specifically, the abutting properties to the north, east and south of the subject property were respectively rezoned from AU to RU-1M(a), from 2002 to 2006, pursuant to Resolutions #CZAB10-33-02, CZAB10-53-07, CZAB10-54-07 and CZAB10-77-05. **Staff therefore, recommends approval of request #1, subject to the board's acceptance of the proffered covenant under Section 33-311, District Boundary Change.**

When requests #2, Special Exception to permit a private school and daycare, and #3, Unusual Use to permit a daycare are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of said requests would be **compatible** with the surrounding area. In staff's opinion, approval of the requested special exception and unusual use, which would allow the applicant to develop the site with a private school and daycare would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to create a fire or other equally or greater dangerous hazards, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Environmental Resources Management Division of the Department of Regulatory and Economic Resources and the Miami-Dade Fire Rescue Department. Further, said memoranda also indicates that the approval of said requests would not have negative noise, traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

Notwithstanding the foregoing, staff notes that the subject property abuts an Environmentally Endangered Land (EEL) property to the west, which was a part of the Tree Island Governmental Facilities approval pursuant to Resolution No. R-447-12 on June 5, 2012. EEL lands are typically maintained by the use of periodic ecological prescribed burning. The Florida Legislature passed the Prescribed Fire Act in 1990 to promote the importance of prescribed fire and to provide liability protection. As stated in the Environmental Resources Management Division of the Department of Regulatory and Economic Resources memorandum, such burning is generally performed once every three years and the subject property lies within the potential smoke dispersion corridor. However, staff opines that the site plan provided indicates that the school site has been designed with sensitivity to the abutting EEL property by locating the playground/recreation area on the east portion of parcel #1 of the subject property, placing the school building in between the playground area and the EEL property. Staff recommends as a condition for approval, that the proposed private school and daycare keep the children indoors on the days that prescribed burns occur.

In addition, staff notes that although the proposed playground abuts residential properties to the east and south, it is adequately buffered by a proposed continuous hedge and row of trees. However, as a condition for approval staff recommends that the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties. In addition, the plans submitted indicate that the proposed private school and daycare will be properly accessible by public roads, streets or highways, specifically SW 15th Street and SW 147th Avenue. Furthermore, the parking lot, which exceeds the parking requirement by 15 parking spaces, is located on the south portion of the subject property with the ingress and egress access provided from SW 147<sup>th</sup> Avenue. The site plan also indicates the

drop-off/pickup area along SW 15<sup>th</sup> Street. As such, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned, staff opines that the same are **compatible** with the surrounding area.

When requests #4, to permit the school setback 6' (25' required) from the side street (north) property line, request #5, to permit parking and drives within 25' of an official right-of-way (not permitted), and request #6, to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required) are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area.

Staff opines that requests #4, #5, and #6 are germane to the applicant's request to develop a private school and daycare (requests #2 and #3) on parcel #1. In staff's opinion, the proposed porte-cochere, which encroaches into the side setback area, will protect the children being dropped off from the elements and will add curb appeal to the subject property. Further, the main school building meets setback requirements and is located 26' from the side street property line. In addition, staff opines that the applicant's request to permit parking and drives within 25' of an official right-of-way will not have a negative visual impact on passersby along SW 15<sup>th</sup> Street. The submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact. Furthermore, staff opines that the reduced outdoor recreation area will not have a negative impact on the children or neighborhood given that the applicant will stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day. Consequently, staff opines that the proposed outdoor recreation area will adequately accommodate the children. As such, staff opines that the approval with conditions of these requests will not have a negative visual or aural impact on the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4, #5 and #6 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along SW 147<sup>th</sup> Avenue. The plans also show a total of 34 parking spaces, which exceeds the parking requirement by 15 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.

**CONDITIONS FOR APPROVAL:** (for requests #2 through #6 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc., Sheets A-1, A-3 & L-1 dated stamped

received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets.

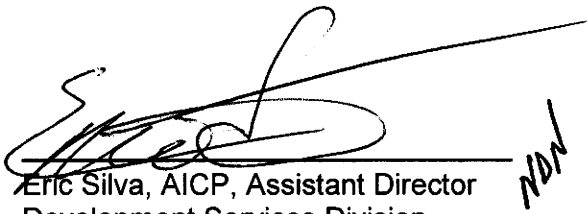
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).
6. That the private school and daycare be restricted to Infant-2 grade and to a maximum of two hundred (200) children.
7. That the hours of operation shall be from 7:00 AM to 6:30 PM.
8. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
9. That the school shall assign staff to monitor and direct on-site vehicular traffic during drop-off and pick-up times to facilitate the flow of traffic and prevent potential accumulation on the public right-of-way.
10. That the waste pick-up at the school shall be performed by a private commercial entity and shall be prohibited during arrival and dismissal times.
11. That the applicant stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day.
12. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.
13. That the applicant obtain a new Certificate of Use from and promptly renew the same annually, with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
14. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
15. That the proposed private school and daycare keep the children indoors on the days that prescribed EEL property burns occur.

ES:MW:NN:CH:JC

Julmar 147 Investment, LLC

Z12-085

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A handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line. To the right of the signature, the letters 'NDW' are handwritten vertically.

Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department



# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Low Density Residential</b> (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Land Use Objective LU-4A</b> (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Education Element Objective EDU-3A</b> (Pg. X-5)	<i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.</i>

# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311 District Boundary Change</b>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"><li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li><li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li><li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li><li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li><li>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></li></ol>
<b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b>	<p>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</p>

## ZONING RECOMMENDATION ADDENDUM

*Julmar 147 Investment, LLC  
Z12-085*

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**A**

REPRESENTATIVE: **Melissa Tapanes Llahues**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	March 19, 2013	CZAB10		13

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S):		
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>April 23, 2013</u>	<input type="checkbox"/> W/LEAVE TO AMEND	
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE		
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS			
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT	<input type="checkbox"/> PER D.I.C.	
	<input type="checkbox"/> WITH CONDITIONS			
<input checked="" type="checkbox"/> OTHER:	Motion to defer the application due to a lack of time.			

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>S</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN	<b>M</b>	Jose GARRIDO	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS		<b>X</b>	
COUNCILMAN		Gerardo RODRIGUEZ		<b>X</b>	
COUNCILMAN		Manuel VALDES	<b>X</b>		
VICE CHAIRMAN		Toufic ZAKHARIA	<b>X</b>		
CHAIRMAN		Richard M. GOMEZ		<b>X</b>	
VOTE:			<b>4</b>	<b>3</b>	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **DARON FITCH**

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**A**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	February 19, 2013	CZAB10		13

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>March 19, 2013</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> <b>OTHER: Deferral was due to an advertising issue with the application. Board members were</b>		
<b>told by staff that their attendance was not necessary for this hearing.</b>		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Julio R. CACERES			X
COUNCILMAN		Jose GARRIDO			X
COUNCILWOMAN		Miriam PLANAS			X
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Manuel VALDES			
VICE CHAIRMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ			

VOTE:

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: LAUREN MORSE

12

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

#1

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

REPRESENTATIVE: Guillermo Olmedillo

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-12-CZ10-1 (12-085)	December 5, 2012	CZAB10	12

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_

☒ DEFER: ☐ INDEFINITELY ☒ TO: February 19, 2013 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.  
☐ WITH CONDITIONS

☒ OTHER: Deferred in order for the applicant to revise the covenant and to meet with the neighbors. The Board also has requested a staff member of the Environment Division of RER and a staff member from the Traffic Division of Public Works and Waste Management to attend the February hearing in 2013 to address some concerns that the Board has about the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN		Richard M. GOMEZ	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS	<b>X</b>		
COUNCILMAN	<b>S</b>	Gerardo RODRIGUEZ	<b>X</b>		
COUNCILMAN		Manuel VALDES	<b>X</b>		
COUNCILMAN		Toufic ZAKHARIA			<b>X</b>
CHAIRMAN		Jose GARRIDO (C.A.)	<b>X</b>		
VOTE:			<b>6</b>	<b>0</b>	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **LAUREN MORSE**  
**DAVID HOPE**



**A. JULMAR 147 INVESTMENT, LLC**  
**(Applicant)**

**12-12-CZ10-1 (12-085)**  
**Area 10/District 11**  
**Hearing Date: 04/23/13**

Property Owner (if different from applicant) **Oscar Castillo Trustee.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? OSCAR

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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None


Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# Memorandum



**Date:** February 6, 2013

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources 

**Subject:** C-10 #Z2012000085-4<sup>th</sup> Revision  
Oscar Castilla  
SE corner of the intersection of SW 147<sup>th</sup> Avenue and 15<sup>th</sup> Street  
District Boundary (Zone) Changes to RU-MA. Special Exception to  
Permit a K-2 School  
(AU) (2.34 Acres)  
10-54-39

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

#### Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity

in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

The proposed development is located within Bird Drive Basin, where a portion of the site must be set aside for stormwater management as required by the Code, to comply with the official Miami-Dade County report for that Basin. If said property has been continuously four and one-half (4.5) acres or less in size since September 30, 1997, the applicant may opt to pay a financial contribution into the Stormwater Compensation Trust Fund in lieu of providing set aside area for surface Water Management.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

DERM has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be changed to indicate the preservation of the tree island and a suitable amount of buffer to the development.

The applicant is advised to contact the Wetland Resources Program at (305)372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Natural Forest Communities

The subject property lies east to an Environmentally Endangered Land (EEL) property (Tree Island Park). EEL properties are subject to EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

#### Tree Preservation

The subject property contains tree resources and wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

#### Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

## **PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: OSCAR CASTILLA, TRUSTEE

This Department has no objections to this application.

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Site Plans S1, dated 08/06/2012 and received by Zoning on 08/23/2012; the Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively; and the Traffic Operations Plan, dated 08/21/2012, for the proposed facility located at the intersection of at SW 147 Avenue and SW 15 Street, and has the following comments:

### Site Plan Review:

The Site Plans named S1, dated 08/06/2012 and received by Zoning on 08/23/2012, are acceptable and must supersede all other hearing site plans.

### Traffic Study Review:

Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively, must be included within the permanent zoning hearing documents.

### Traffic Operations Plan (TOP) Review:

The Traffic Operations Plan, dated 08/21/2012, is acceptable. The Traffic Operations Plan scanned as part of the zoning hearing documents must be rescanned to contain page 2 of 3.

### Project Requirements:

All off-site improvements shall be constructed prior to the school opening.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 147 Avenue and SW 15 Street adjacent to the site. A school speed zone and flashing signals may be waived at this time with the



provision that a school policy explicitly stating that all students must be accompanied by an adult to and from school at all times is provided within a covenant for this facility and published as school policy; and the school administration agrees to timely purchase and install such traffic control devices, if the Miami-Dade County Public Works and Waste Management Department determines the future need for said devices.

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school opening or expansion. The "Declaration of Restrictions" shall include a Traffic Operations Plan narrative and plan that has been found acceptable by TED.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Please contact Ricardo Gavilan at 305-375-2030, if you have any questions concerning this recommendation.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 132 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

12-SEP-12

## PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-085  
Updated Oscar Castilla, Trustee

**Application:** *Oscar Castilla, Trustee* is still requesting a District Boundary Change from Agricultural (AU) to modified Single-family Residential (RU1-MA), and a special exception for a school serving grades K to 2. Currently, the applicant is also requesting a variance for a setback on the property.

**Size:** The subject property is approximately 2.35 acres.

**Location:** The subject property is approximately south of SW 15<sup>th</sup> Street, between SW 145<sup>th</sup> Avenue and SW 147<sup>th</sup> Avenue in Miami-Dade County, Florida.

### **Analysis:**

#### **1. Solid Waste Disposal**

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

#### **2. Garbage and Trash Collection Services**

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated July 10, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The placement of a school on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

#### **3. Recycling: Commercial Establishments**

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

#### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc..) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: Vacant land on SW 147th Avenue & 15th Street Tax Folio # 30-4910-003-0050

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
  2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
  3. Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pk-2nd Grade)
  4. Number of teachers: 16 Number of administrative & clerical personnel: 4.
  5. Number of classrooms: 11 Total square footage of classroom area: 7,082 sq. ft.
  6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
5,059 sq. ft. - Includes Stairs and Elevator
  7. Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 34 spaces parking spaces required by §33-124(L) = 20 spaces
  10. Indicate the number of auto stacking spaces: 5 provided 5 required.
  11. Proposed height for the structure(s): 35'-0" See §33-151.18(g).
  12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(c).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  13. Days and hours of operation: Infants - Pk - 2nd Grd School shall operate M to F 7 am to 6:30 pm.
  14. Does the subject facility share the site with other facilities? ☐ Yes ☒ No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
  15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). No Residential Uses

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AT

3.

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 160 (number of children) = 5,600 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,800 sq. ft.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,082 sq. ft.

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 80 (1/2 of children) = 3,600 sq. ft.

- b. Grades 1-6 500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.

300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0 sq. ft.

300 sq. ft. x 0 (next 300 children) = 0 sq. ft.

150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48

- b. Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500

- c. Grass area for organized sports/play area in square feet: 11,350 sq. ft. total recreation area

- d. Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

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School Address: Vacant land on SW 147th Avenue & 15th Street - Miami, Florida Zip Code: 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15th day of June 2012  
at Miami-Dade County, Florida.

Jorge L. Villavicencio, R.A.

  
Signature

WITNESSES:

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STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

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AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY 

# Memorandum



**Date:** January 28, 2013

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2012000085: JULMAR 147 INVESTMENT, LLC

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**Application Name:** JULMAR 147 INVESTMENT, LLC

**Project Location:** The site is located south of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from AU TO RU-1MA and a special exception to permit a school (K-2).

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



# Memorandum

**Date:** 13-SEP-12

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department

**Subject:** Z2012000085

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to site plan date stamped received August 21, 2012. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDR requirements.

## Service Impact/Demand

Development for the above Z2012000085

located at LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1430 is proposed as the following:

_____	dwelling units	_____	square feet
residential		industrial	
_____	square feet	_____	square feet
Office		institutional	
_____	square feet	12,140	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 8.14 alarms-annually.

The estimated average travel time is: 6:20 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street  
ALS Engine.

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 21, 2012. Substantial changes to the plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

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DATE: 29-AUG-12  
REVISION 1

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

OSCAR CASTILLA, TRUSTEE

LYING SOUTH OF SW 15 STREET,  
BETWEEN SW 145 AVENUE & SW  
147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

Z2012000085

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**HEARING NUMBER**

**HISTORY:**

ENFORCEMENT HISTORY: NC: Case was opened on August 9, 2012 for junk/trash overgrowth and warning issued August 21, 2012 to be corrected by September 5, 2012. Prior case opened July 7, 2011 for failure to perform lot maintenance and citation issued. Affidavit compliance July 29, 2011. CVN electronically closed August 6, 2011 and case closed September 20, 2011. BNC: No bss cases open/closed.

Oscar Castilla Trustee

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**

### DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: JULMAR 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>13911 SW 42nd St #205 Miami, FL 33185</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature *[Signature]*  
(Applicant)

Sworn to and subscribed before me this 10<sup>th</sup> day of Sept, 2012. Affiant is personally known to me or has produced C234-340-103445-0 as identification.

*[Signature]*  
(Notary Public)

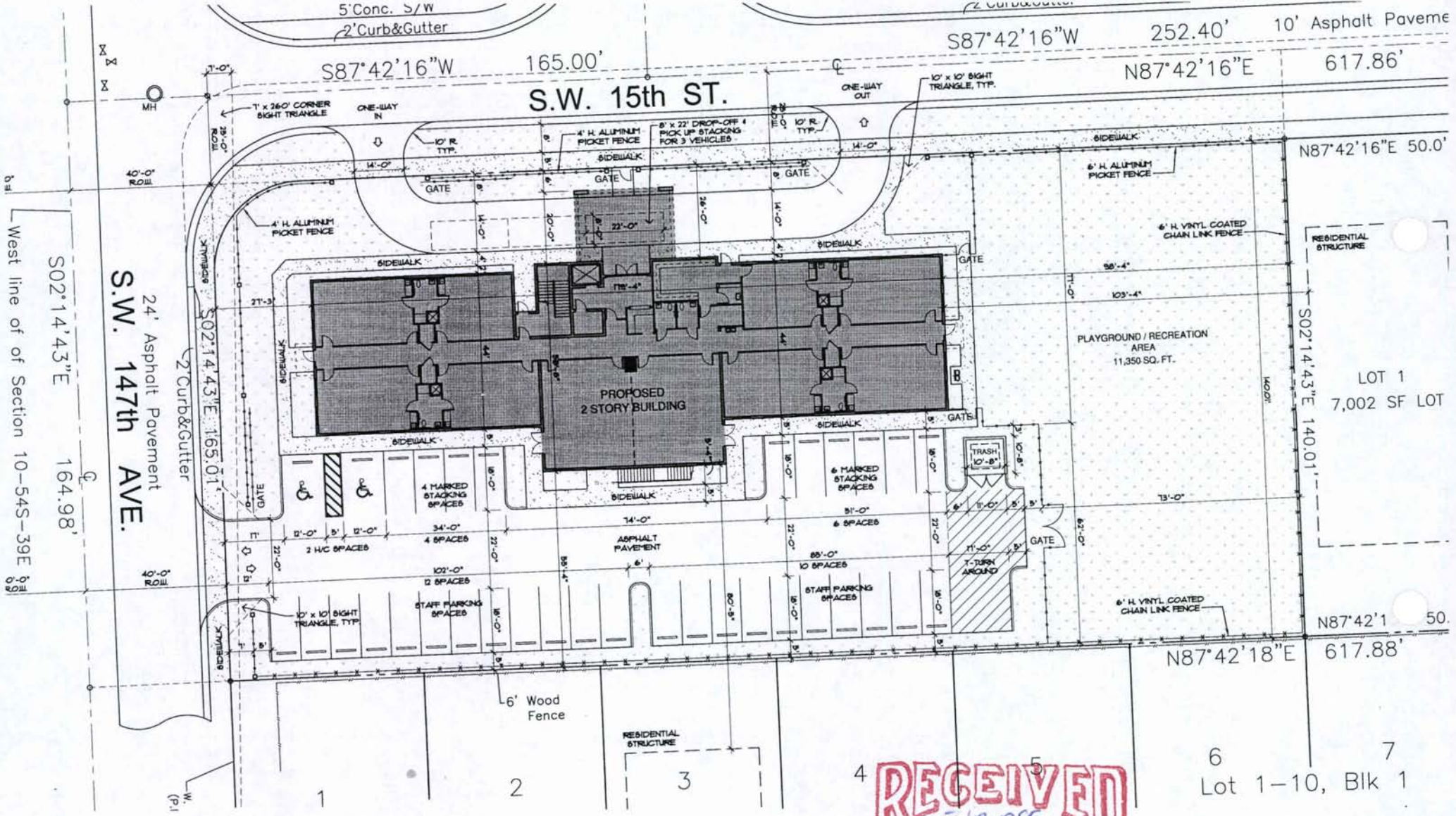
My commission expires: 6/28/2015



Seal

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.





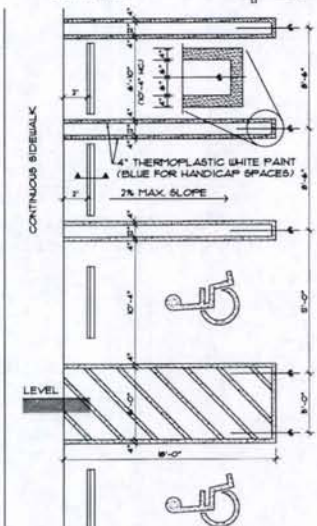
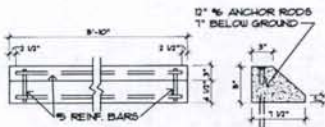
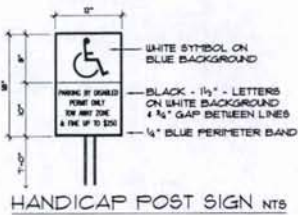
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY TH

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PLANNING & ZONING  
DATE: 08/01/12



SITE SUMMARY	
LOCATION	SW 15th STREET AND 147th AVENUE MIAMI, FLORIDA 33184
FOUD NO.	30-4910-003-0050 (TOTAL PROPERTY)
ZONING	AU - applying for - RU-1-MA
ZONING RESOLUTIONS	N/A
TOTAL EXISTING LOT AREA	GROSS: 106,563 S.F. (2.48 ACRES)
	TOTAL NET: N/A - NOT YET SUBDIVIDED
PROPOSED LOT AREAS:	
PARCEL "1" LOT AREA	GROSS: 56,915 S.F. (1.31 ACRES)
	TOTAL NET: 42,696 S.F. (0.98 ACRES)
PARCEL "2" LOT AREA	GROSS: 51,648 S.F. (1.18 ACRES)
	TOTAL NET: 40,321 S.F. (0.93 ACRES)
PARCEL "2" TO BE SUBDIVIDED INTO 6 RU-1MA RESIDENTIAL LOTS	
PROPOSED BUILDINGS:	
1) TWO STORY HIGHER LEARNING EDUCATIONAL CENTER	
COVERED DROP OFF	537 SQ. FT.
FIRST FLOOR AREA	8,533 SQ. FT.
SECOND FLOOR AREA	3,051 SQ. FT.
PROPOSED SCHOOL BUILDING AREA	12,141 SQ. FT.
TOTAL PROPOSED BUILDING LOT COVERAGE	9,090 SQ. FT. 21.3 %
TOTAL PROPOSED BUILDING AREA	12,141 SQ. FT.
SETBACKS:	
FRONT - NORTH (TO DROP OFF)	5'-0"
FRONT - NORTH (TO BUILDING WALL)	26'-0"
SIDE STREET - WEST	27'-3"
SIDE - EAST	98'-4"
REAR - SOUTH	50'-4"
SIDE - EAST (TO RESIDENTIAL STRUCTURE)	103'-4"
REAR - SOUTH (TO RESIDENTIAL STRUCTURE)	80'-5"
SIDE STREET - WEST (TO RESIDENTIAL STRUCTURE)	132'-3"
SUMMARY OF OVERALL LOT COVERAGE:	
TOTAL PROPOSED BUILDING LOT COVERAGE	9,090 SQ. FT. 21.3 %
ASPHALT PAVED, SIDEWALKS AND PAVED AREAS	14,708 SQ. FT. 34.4 %
LANDSCAPE OPEN SPACE	16,898 SQ. FT. 44.3 %
TOTAL AREA	42,696 SQ. FT. 100.0 %
OUTDOOR RECREATION AREA	11,300 SQ. FT. 26.6 %
PARKING REQUIRED: AS PER 33-124 MDC ZONING CODE	
- SCHOOL (INFANTS - PK TO 2ND GRADE)	20 SPACES
AS PER 33-124(1) & 2	
INFANTS - PK TO 2ND GRADE	
1 SPACE PER STAFF x 20 = 20 SPACES	
TOTAL PARKING REQUIRED	20 SPACES
PARKING PROVIDED:	
- STANDARD - 8.5' x 18'	32 SPACES
- HANDICAP - 12.0' x 18'	2 SPACES
TOTAL PARKING PROVIDED	34 SPACES

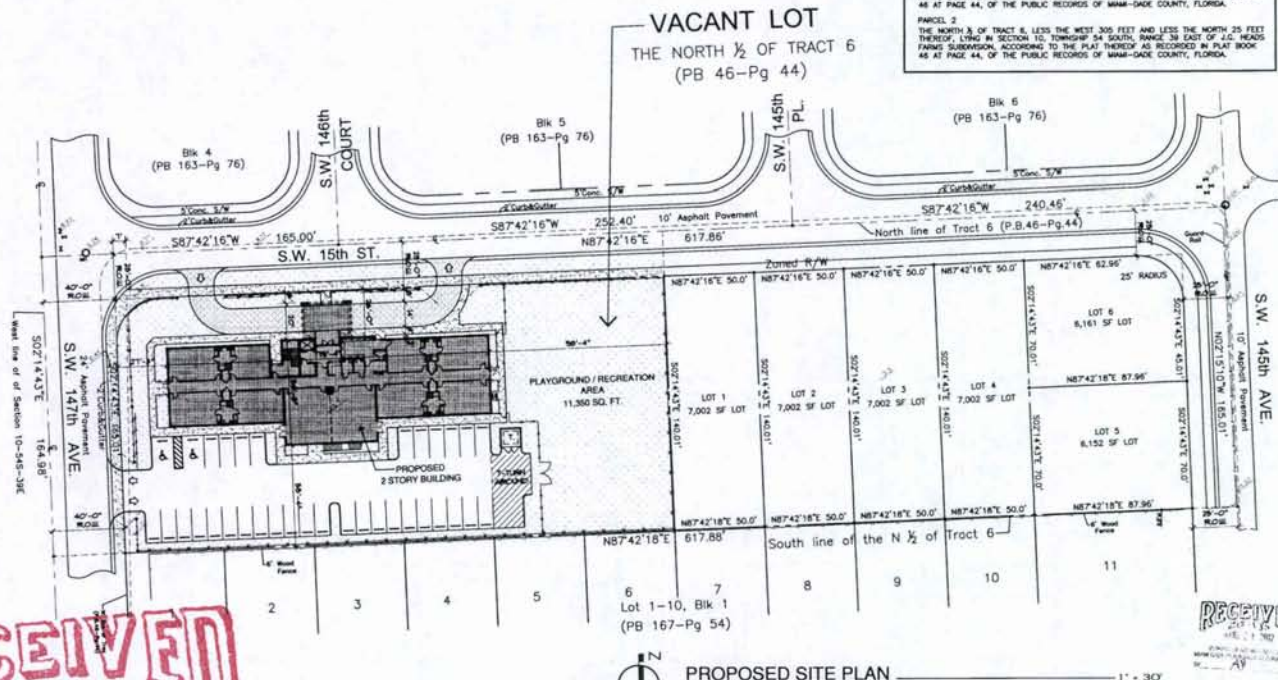


LOCATION - N.T.S.

**LEGAL DESCRIPTIONS:**

PARCEL 1  
THE WEST 305 FEET OF THE NORTH 1/2 OF TRACT 6, LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 30 EAST OF J.G. HEADS FARMING SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AS AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 2  
THE NORTH 1/2 OF TRACT 6, LESS THE WEST 305 FEET AND LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 30 EAST OF J.G. HEADS FARMING SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AS AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



**RECEIVED**  
212-085  
AUG 21 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AX

REVISIONS

HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS  
FOLD # 30-4910-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

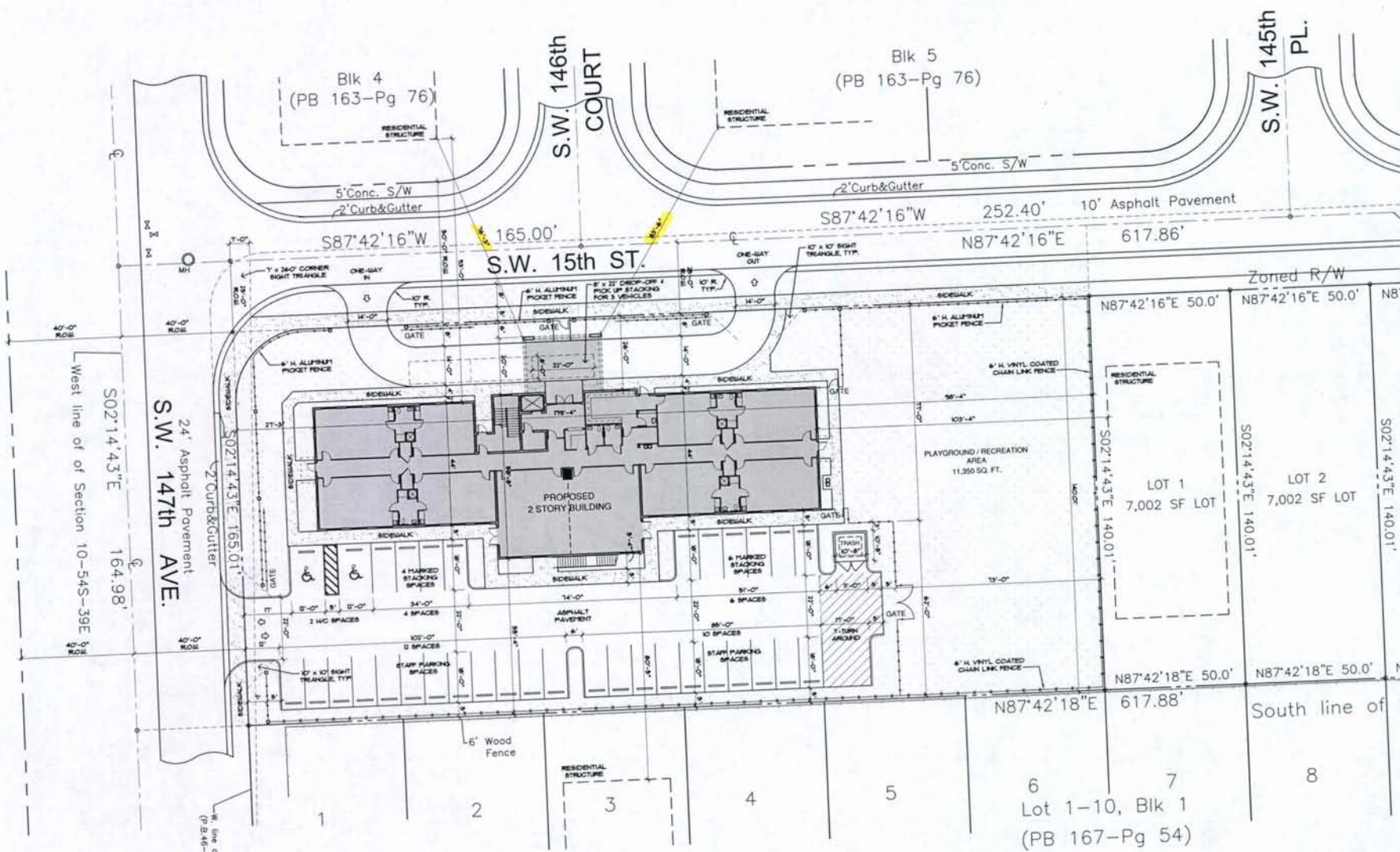
COMMISSIONER'S NAME: ALAN ROSENTHAL  
APPROVED: [Signature]  
DATE: 08/01/12

VILLA & ASSOCIATES, INC.  
ARCHITECTS  
7544 SW 48th STREET  
MIAMI, FL 33156  
(305) 497-9981

DATE: 08-08-12  
SCALE: 1" = 30'  
DATE SUBMITTED FOR REVIEW: [Blank]  
DRAWN BY: A-1 OF 7



34



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22-085  
AUG 21 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AK

PROPOSED SITE PLAN 1/16" = 1'

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0060  
VACANT LAND ON SW 15th STREET AND 14th AVENUE

Consultant License  
K.A.00000000  
Professional Seal  
JAMES L. LAMOND  
NO. A0002113

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE  
7544 SW 48 STREET  
MIAMI, FL 33155  
(305) 967-8971  
CONSULTANT



DATE: 08-06-12 SCALE: 1/16" = 1'  
DATE SUBMITTED FOR REVIEW:  
DRAWING NO.: A-3 OF 7



**RECEIVED**  
212-085  
AUG 13 2012  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AB

# CHILD CARE CHECKLIST REQUIREMENTS FOR ZONING HEARING

- Day nurseries, day care centers and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3M, RU-3B, RU-4L, RU-4M, RU-4, RU-4A, RU-5, RU-5A, OPD, BU (Business) or IU (Industrial) and meet all requirements including setbacks for buildings of public assembly where occupancy is for 25 or more, or other applicable setbacks. Must also comply with all other code requirements including, but not limited to, handicap accessibility and plumbing fixture count.
- Private schools are permitted on properties zoned RU-3, RU-3M, RU-3B, RU-4L, RU-4M, RU-4, RU-4A, AU and BU (Business) subject to compliance with the aforementioned requirements.
- Must comply with all requirements of Article XX, (§33-151.11 through 33-151.22) Zoning Code of Miami-Dade County.
- Submit one full set of titled plans and 1 C.D. (PDF Format) containing an identical set of plans for zoning hearing review, including:
  - Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and automobile stacking.
  - Floor plans identifying classroom areas - dimensioned (note: an architect or engineer must seal the plans for 50 or more children).
  - Completed Child Care Checklist (attached)
  - Landscape plan, Landscape Legend and Certification of Compliance with Chapter 16A (Landscape Code).
- Day care centers may require a traffic analysis. Contact Harvey Barnston at the Public Works Department at 305-375-1874 for more information.

The Department of Planning and Zoning will review this application and accompanying plans. Early contact with the sections involved would be beneficial to the applicant. Contact the Zoning Information Section at (305) 375-1806, the Zoning Processing Section at (786) 315-2050 and the Planning Division at (305) 375-2900. Apply for a building permit at 11805 S.W. 26 Street, between the hours of 7:30 a.m. and 10:00 a.m. Tuesday through Friday. If you have any questions regarding the process for applying for a building permit, please contact the Permit Section at (786) 315-2100.

## DEFINITIONS

Day Nursery	Childcare for infants and children up to the age of six (6).
Kindergarten	Childcare and preschool programs for children ages four (4) through six (6).
After-School Care	Childcare and recreation for children above the age of five (5) when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacation.
Babysitting Service for Shoppers	Childcare for limited time periods (maximum three (3) hours) provided within a shopping center solely for the convenience of the patrons, and limited to not more than forty (40) children at any one time.
College or University	An institution of higher learning beyond the high school level.
Family Day Care	Childcare and recreation with a maximum of five (5) children including the day care operator's own children.
Private School	This term as used herein refers to any private institution providing childcare and/or instruction at any level from infants through the college level.
Elementary, Junior, and/or Senior High	Reference to these schools are to be broadly interpreted to encompass any schools, graded or ungraded, whose students are within the age ranges typically found at these school levels.
Child, Student, Pupil	The terms "child," "student," or "pupil" and their plurals are used interchangeably.

## Child Care Check List for Day Nursery, Day Care Center, Kindergarten and Private School

School Name: **HIGHER LEARNING EDUCATIONAL CENTER**

School Address: **VACANT LAND ON SW 147th Avenue & 19th Street Tax Folio # 30-4910-003-0000**

- Is this an expansion to an existing school? Yes ☐ No ☒ If yes, indicate the number of students \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_
  - Total size of site: \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.99 acres
  - Number of children or students requested: 200 Ages: Infant: 5 years old (Infant-Pre-2nd Grade)
  - Number of teachers: 19 Number of administrative & clinical personnel: 4
  - Number of classrooms: 11 Total square footage of classroom area: 7,062 sq. ft.
  - Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 5,050 sq. ft. - Includes Stairs and Elevator
  - Amount of outdoor recreation/play area in square footage: 11,300 sq. ft.
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(g).
- Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  - Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided: = 24 spaces parking spaces required by §33-124(d): = 20 spaces
  - Indicate the number of auto stacking spaces: 5 provided: 5 required.
  - Proposed height for the structure(s): 30' / 32' See §33-151.18(g).
  - Size of identification sign: n/a = n/a sq. ft. See §33-151.18(g).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  - Days and hours of operation: Infants - 7th - 2nd Grade School shall operate M to F, 7 am to 6:30 am.
  - Does the subject facility share the site with other facilities? Yes ☒ No ☐ If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16.
  - If the school will include residential uses, do such uses meet the standards provided in §33-151.177 (c) Yes ☐ No ☐ If yes, describe the residential uses and indicate same on the plans. No Residential Uses.

## PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

### CLASSROOM SPACE: Calculated by grade levels

- Day Nursery/Kindergarten, preschool and after-school care  
35 sq. ft. x 100 (number of children) = 3,500 sq. ft. of classroom area required.
  - Elementary Grades 1-6  
30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.
  - Junior High and Senior High Schools (Grades 7-12)  
25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.
- TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 4,700 sq. ft.  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,062 sq. ft.

### OUTDOOR RECREATION SPACE:

- Day Nursery/Kindergarten, preschool and after-school care  
45 sq. ft. x 80 (1% of children) = 3,600 sq. ft.
  - Grades 1-6  
500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.  
300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.
  - Grades 7-12  
800 sq. ft. x 0 (first 30 children) = 0 sq. ft.  
300 sq. ft. x 0 (next 300 children) = 0 sq. ft.  
150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_
- TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,300 sq. ft.
- TREES: See §33-151.18(g), and the Planning Division (12" Floor) for additional requirements.
- 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48
  - Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500
  - Grass area for organized sports/play area in square feet: 11,300 sq. ft. total recreation area
  - Lawn area in square feet (exclusive of organized sports/play area): 6,520 sq. ft.

## CHILD CARE CHECKLIST

REVISIONS:


HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4910-003-0000  
VACANT LAND ON SW 147th AVENUE AND 19th AVENUE

CONTRACT NUMBER: 12-0000000000  
DATE: 08/13/12  
BY: JMB

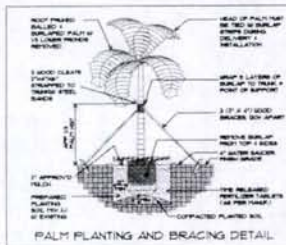
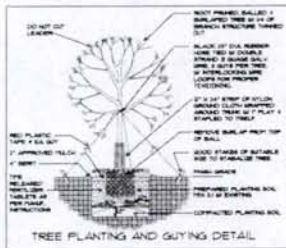
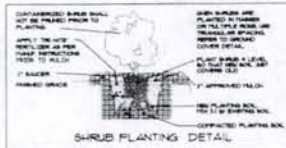
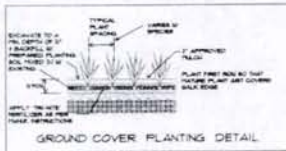
VILLA & ASSOCIATES INC.  
PLANNING & ZONING  
10000 SW 147th Avenue, Suite 100  
Miami, FL 33186  
(305) 941-9991



DATE: 08-08-12  
SCALE: 1" = 1'  
DATE SUBMITTED FOR REVIEW: \_\_\_\_\_  
DRAWING NO.: A-2 OF 7

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212-085  
AUG 13 2012  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: JMB



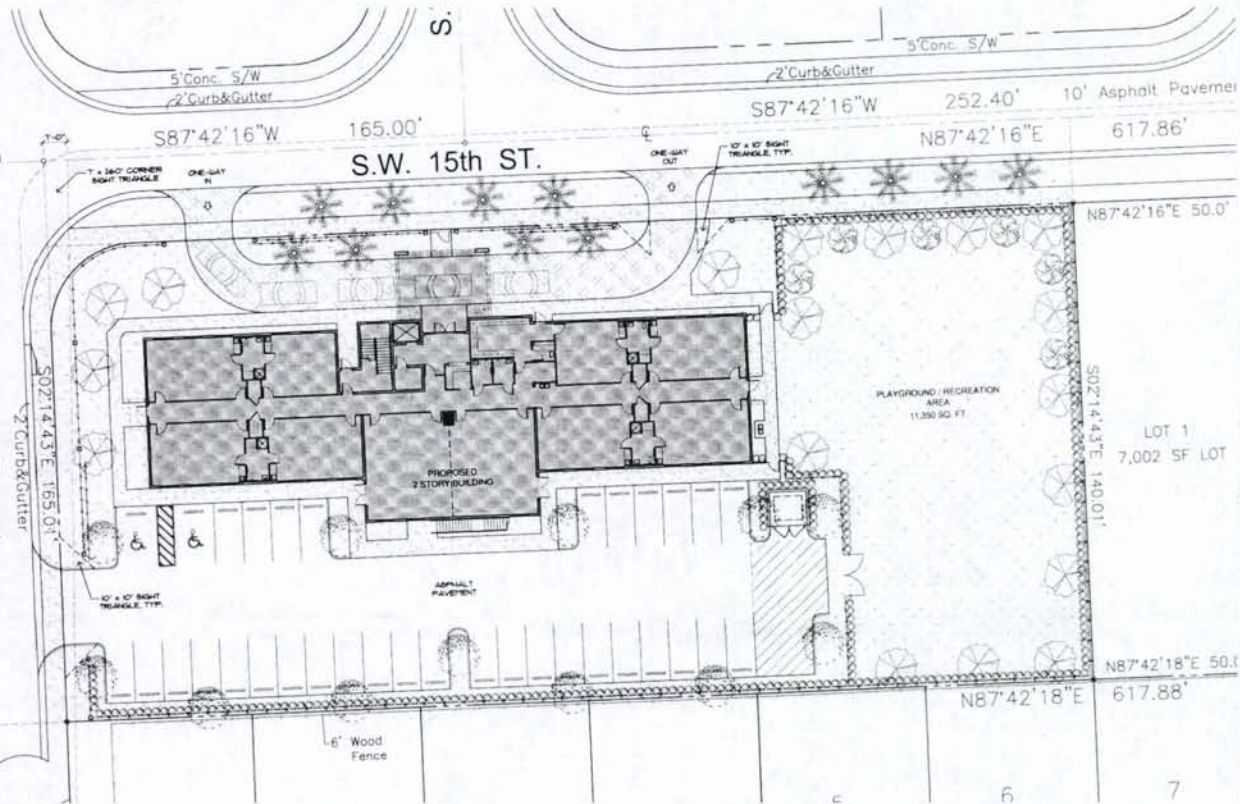


LOCATION — N.T.S.

West line of Section 10-54S-39E

S02°14'43"E 164.98'

S.W. 147th AVE.  
24' Asphalt Pavement



NOTE:  
TREES PLANTED 7' FROM THE RIGHT OF WAY CAN  
BE COUNTED TOWARD THE STREET TREE REQUIREMENT.

### LANDSCAPE SCHEDULE

KEY	COMMON NAME	BOTANICAL NAME	HEIGHT AT PLANTING	NATURAL HEIGHT RANGE	NATIVE	QUANTITY
A	LIVE OAK	QUERCUS VIRGINIANA	14' (2.5" CALIPER) AT PLANTING	40' TO 50'	YES	18
B	PIEDMONT PLUM	COCCOLEA DIVERSIFOLIA	12' (2" CALIPER) AT PLANTING	20' TO 25'	YES	8
C	SILVER BUTTWOOD	CONOCARPUS ERECTUS	12' (2" CALIPER) AT PLANTING	10' TO 15'	YES	12
D	ROYAL PALM	ROYSTONIA ELATA	15' AT PLANTING	40' TO 80'	YES	12
E	RED-TIP COCOPLUM	CHRYSOBALANUS ICADO VAR. PELLICARPUS	36" H. & 24" O/C AT PLANTING	6'	YES	300

- \* Landscape contractor shall provide irrigation system for all landscape areas. Provide Shop Drawing Plans for approval.
- \* PERIMETER HEDGE SHALL BE KEPT AT A MAXIMUM 6' IN HEIGHT ONCE MATURE.

### LANDSCAPE LEGEND

Zoning District: RS-1-MH Net Lot Area: 5.98 acres 42,696 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan Net lot area = 42,696 square feet = 25.2 = 10,674 s.f.	10,674 s.f.	360 s.f.
B. Square feet of parking lot open space required by Chapter 33A, as indicated on site plan The number of parking spaces = 350 = 10 square feet per parking space = 3,500 s.f.	11,024 s.f.	18,896 s.f.
C. Total square feet of landscaped open space required by Chapter 33 = A + B = 14,174 s.f.	14,174 s.f.	19,056 s.f.
LAWN AREA CALCULATION		
A. Total square feet of landscaped open space required by Chapter 33 = 14,174 square feet	14,174 s.f.	18,896 s.f.
B. Maximum lawn area (5% Augustine sod) permitted = 56.7 x 11,024 square feet = 6,250 s.f.	6,250 s.f.	6,250 s.f.
TREES		
A. The number of trees required per net lot acre = 20 TREES PER NET ACRE = 20 trees x 5.98 net lot acreage = 119.6 TREES	119.6	36
B. Street trees (max. average spacing of 35' o.c.) 443 linear feet along street / 35' = 12.7	12.7	12
C. Parking lot trees (1 per 80 s.f. of parking landscape area) 360 s.f. / 80 = 4.5 trees	4.5	5
D. Total number of trees required & provided =	124.8	53
E. 30 x 6 palm trees closer = 12 Royal Palms provided = 12 TREES = 25.0	12.4	49
F. Percentage of native trees required = the number of trees provided 48 x 30 = 14.4	14.4	49
SHRUBS		
A. The total number of trees required 44.6 x 10 = 446 required shrubs.	446	308
B. The number of native trees required = 44.6 x 10 = 446 required shrubs	446	308
C. The number of native trees provided = 124.8 x 10 = 1,248 provided	1,248	308

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212-085  
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY [Signature]

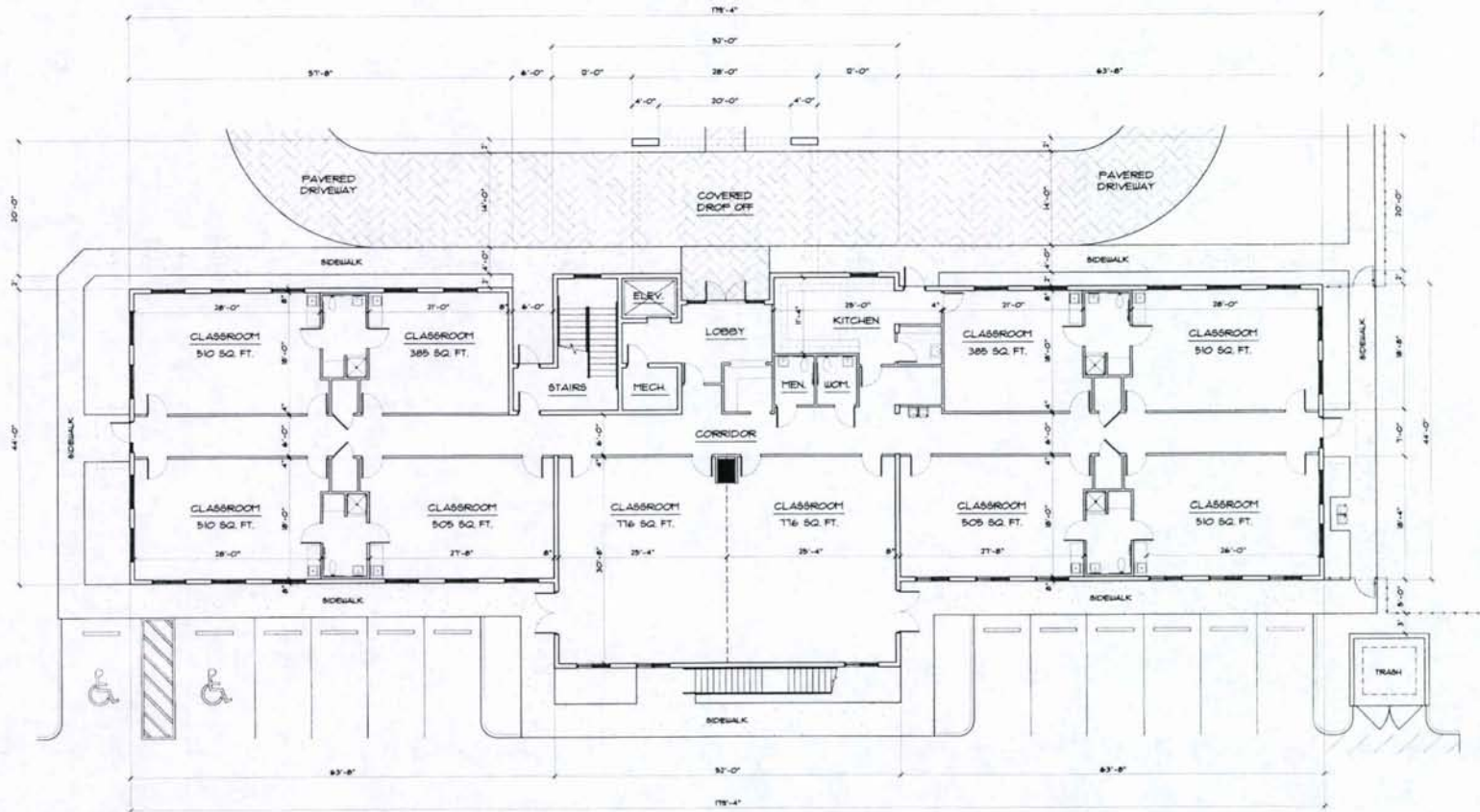
HIGHER LEARNING EDUCATIONAL CENTER  
AND  
8 RESIDENTIAL LOTS  
FOLIO # 30-4970-000-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

VILLA & ASSOCIATES INC.  
PLANNING & ZONING  
7744 SW 4th STREET  
MIAMI, FL 33155  
(305) 867-5881



DATE: 08-06-12 SCALE: 1/8" = 1'  
DATE SUBMITTED FOR REVIEW:  
DRAWING NO: L-1 OF 1





PROPOSED FIRST FLOOR PLAN — 1/8" = 1'-0"  
9,090 SQ. FT.

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212-085  
AUG 13 2012

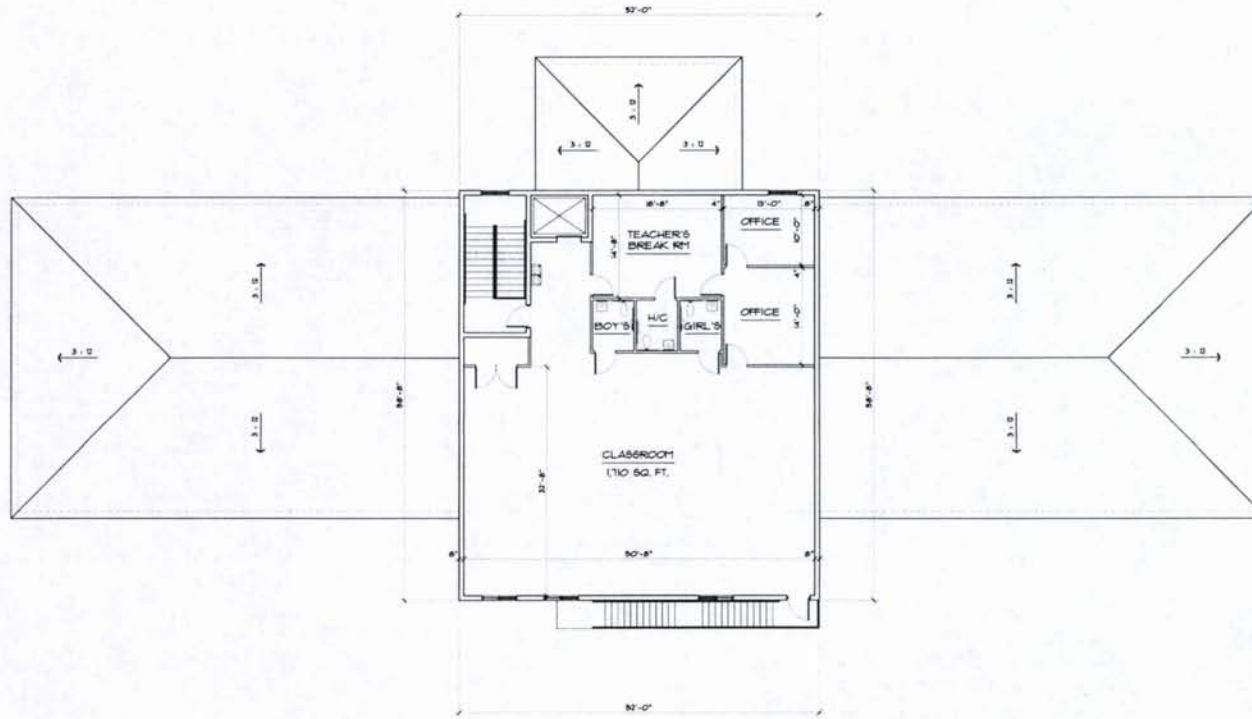
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY [Signature]

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AUG 13 2012

<b>HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS</b> FOLIO # 30-490-03-0560 VACANT LAND ON SW 15th STREET AND 14th AVENUE	
CONSULTANT: <b>VILLA &amp; ASSOCIATES INC.</b> 7844 SW 48 STREET MIAMI, FL 33156 (305) 861-8881	DATE: 08-09-12 SCALE: 1/8" = 1'-0" SHEET NUMBER FOR SET: A-4 OF 7



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MIAMI-DADE COUNTY  
PLANNING & ZONING  
DATE: AUG 13 2012  
BY: BSR



PROPOSED SECOND FLOOR PLAN — 1/8" = 1'-0"  
3,051 SQ. FT.

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212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AS

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AUG 13 2012

REVISIONS:

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 15th STREET AND 47th AVENUE

Preparation: L. GARCIA  
AL00000000  
Architectural Seal  
JOSE L. VILLACRUCES  
NO. 00002110

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE PLANNING  
7344 SW 48 STREET - MIAMI, FL 33156  
(305) 887-8981  
CONSULTANT 1



DATE: 08-09-12	SCALE: 1/8"
DATE SUBMITTED FOR REVIEW:	
DRAWING NO: A-5 of 7	

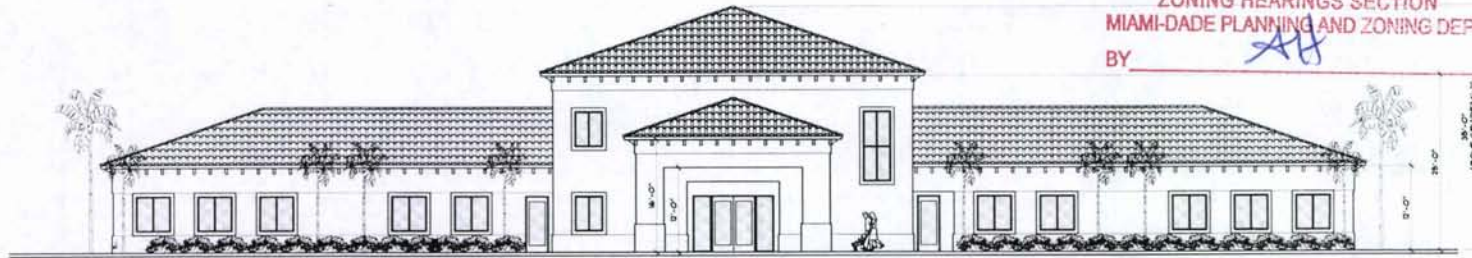
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MIAMI-DADE COUNTY  
PLANNING & ZONING  
DATE: AUG 13 2012  
BY: [initials]

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212-085  
AUG 13 2012

39

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AB



FRONT ELEVATION (NORTH) 1/8" = 1'-0"



SIDE ELEVATION (WEST) 1/8" = 1'-0"



FRONT ELEVATION (NORTH) 1/8" = 1'-0"



REAR ELEVATION (SOUTH) 1/8" = 1'-0"

REVISIONS

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4910-003-0050  
VACANT LAND ON SW 18th STREET AND 47th AVENUE

Corporation License  
#A00003887  
Architectural Seal  
JAMES A. VILLARREAL  
NO. A000038170

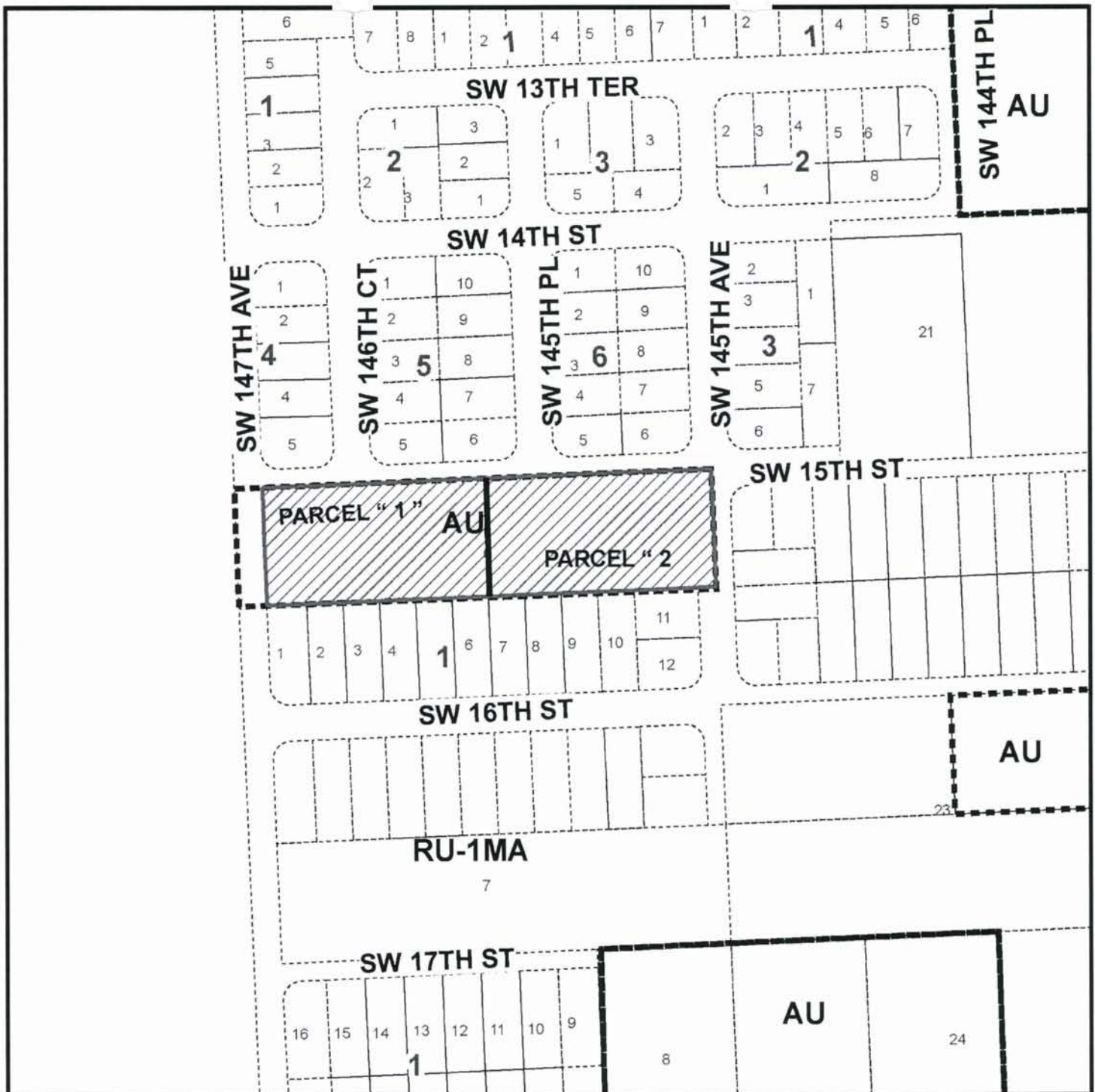
**VILLA & ASSOCIATES INC.**  
ARCHITECTURE PLANNING INTERIOR DESIGN  
7544 SW 48 STREET MIAMI, FL 3315  
CONSULTANT



DATE: 08-08-12	SCALE: 1/8"
DATE SUBMITTED FOR REVIEW: 1	
DRAWING NO: A-7 of 7	

**RECEIVED**  
AUG 13 2012







**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

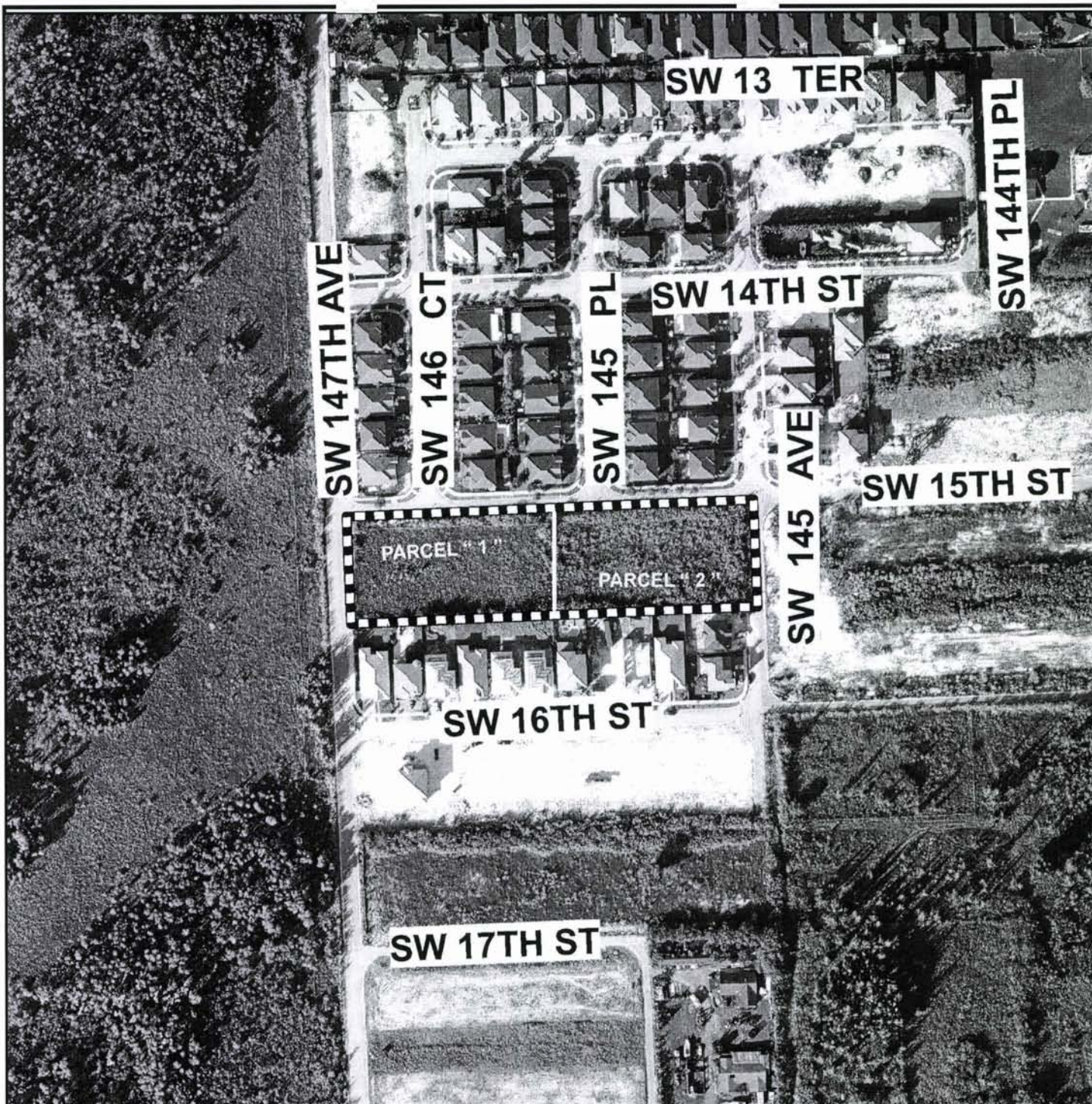
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		40





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		41





REVISION	DATE	BY
		42



**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS



**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY



This instrument was prepared by:

Name: Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez, P.A.

Address: 200 South Biscayne Blvd., Suite 850  
Miami, Florida 33131

CZAB 10 — March 19, 2013

Item A — Z12-085

Julmar 147 Investments

Part 1 of 2 Covenants

2013 MAR 11 A 7:27

PLANNING AND ZONING  
AGENDA OFFICE

Draft

(Space reserved for Clerk)

### DECLARATION OF RESTRICTIONS - SCHOOL

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described as the West 305 feet of the North ½ of Tract 6 lying in Section 10, Section 54 South, Range 39 East of "J.G. Heads Farms", according to the Plat thereof, recorded in Plat Book 46, at page 44, of the Public Record of Miami-Dade County, and hereinafter called the "Property," which is supported by the attorney's opinion, and

WHEREAS, the undersigned Owner intends to develop the Property as a daycare and school for grades Pre-Kindergarten through Second grade ("School"), and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 12-085 ("Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Approved Plan for the Property.** The Property shall be developed substantially in accordance with the plans previously submitted, only as it applies to the subject property described above, prepared by Villa & Associates, A.I.A, entitled, "Higher Learning Educational Center & 6 Residential Lots," consisting of four (4) sheets dated stamped received August 21, 2012, and three (3) sheets dated stamped received August 13, 2012, said plans being on file with the Miami- Dade County Department of Regulatory and Economic Resources, and by reference made a part of this Declaration.
- (2) **School's Compatibility with Residential Area.** The School shall be developed, constructed and maintained in a manner that is compatible with the surrounding residential area.

(a) The Owner shall install a six (6) foot CBS or prefabricated wall along the South property line of Parcel A prior to the issuance of the first vertical building permit for Parcel A. No openings shall be permitted. The façade of such

(Public Hearing)

CBS or prefabricated wall shall be maintained and the Owner shall repair any damage caused by an act of nature or vandalism within three (3) weeks of said act. However, in the event of a hurricane or other catastrophe, the Owner shall have six (6) months to repair any damage.

(b) The Owner shall install a four (4) foot aluminum post fence (not chain-linked) with an antique bronze or white paint finish along the North and West property lines of Parcel A prior to the issuance of a Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) for Parcel A, whichever is first. Landscape material consisting of a hedge at least two (2) feet in height (at the time of planting) shall be planted and maintained within Parcel A immediately abutting the four (4) foot aluminum post fence. Such fence shall be equipped with as many doors, gates or openings as necessary to permit safe vehicular and pedestrian access during the daycare and school's hours of operation. Doors, gates, or openings shall be strictly monitored to ensure the safety of children, employees, parents/guardians and visitors.

(c) The queuing and drop-off circular drive adjacent to SW 15 Street shall be constructed of pavers, concrete, stamped concrete or similar materials architecturally compatible with a single family neighborhood. Under no circumstances, shall the surface of said circular drive be asphalt.

(d) Sanitation/recycling pick-up shall be performed between the hours of 9:00 AM and 5:00 PM, Monday through Friday. The trash dumpster shall be equipped with a working lid and remain closed unless in active use. In addition, the Owner shall pressure clean the dumpster and its enclosure at least once per month. The Owner shall maintain a cleaning log.

(e) All outdoor lighting within Parcel A shall not exceed fifteen (15) feet in height and shall be designed pursuant to Section 33-4.1 of the Miami-Dade County Code to prevent spillage onto the abutting properties.

(f) The storage of vehicles in excess of eighteen (18) feet in length, including all types of "yellow" school buses is prohibited in the School parking area. The storage of equipment, materials, or other related items is prohibited within the School parking area.

(g) The School shall have a specific point of contact to serve as a conduit for the exchange of information between the School and the neighborhood. The point of contact's name, email, mailing address, phone, and hours of availability shall be provided via written correspondence to all property owners within five hundred (500) feet of Parcel A. This written notice shall be provided on an

(Public Hearing)



annual basis no later than fifteen (15) days prior to the commencement of each academic year.

(h) The use of Parcel A for commercial purposes such as renting, leasing, or allowing third parties unaffiliated with the operations of the School is prohibited.

(i) The use and location of any fixed amplified speaker(s), announcer equipment or similar audible enhancing equipment is prohibited on the exterior portions of the School building and Parcel A. Amplified sound from inside the School building shall not be audible from the Parcel A perimeter property line boundaries. Security alarms, fire alarms and other similar emergency notification/preparedness audible sounds shall be exempt from this Paragraph.

(j) The School shall be painted in an earthen hue color scheme to ensure compatibility with the residential character of the surrounding area. No caricatures or kitsch features shall be painted or located in the exterior of the School building or Parcel A.

(k) All signage on Parcel A shall conform to the Miami-Dade County Code, and shall be directed away from the East and South.

(l) All regularly scheduled service and deliveries shall be conducted by vans, light trucks, and medium trucks, not heavy trucks.

- (3) **School Operational Plan.** The School shall strictly observe, monitor and enforce an Operational Plan among all students, employees, parents/guardians and visitors. The Operational Plan shall be distributed to all parents/guardians and employees prior to enrollment or employment, and shall be executed by all parents/guardians and employees prior to enrollment or employment. At minimum, the Operational Plan shall provide the following, which by reference made a part of this Declaration:

(a) The number of students shall be limited to 200.

(b) The school day shall commence at 8:00 AM for daycare and Pre-Kindergarten, and 8:30 AM for Kindergarten through Second grade. The School day shall end at 2:30 PM for daycare and Pre-kindergarten, and 3:00 PM for Kindergarten through Second grade. The School may operate Monday through Friday only, and may provide before and after school services and activities no earlier than 7:00 AM and no later than 6:30 PM.

(c) For students not enrolled in before or after school services and activities, drop-off shall occur between the hours of 7:30 AM through 9:00 AM and pick-up shall occur between the hours of 2:00 PM and 3:30 PM. All children shall be dropped-off and picked up by parents. Parents may hire private transportation vehicles for their children. All private transportation providers shall receive and adhere to the School's Operational Plan.

(d) All vehicles shall enter the queuing and drop-off circular drive adjacent to SW 15 Street at the western-most entrance, utilizing the drop-off on the right of the vehicle. The marked stacking spaces accessible from SW 147 Avenue Drop-off may also be utilized.

(e) During the first three (3) days of each academic year, the School shall hire two (2) off-duty police officers to direct vehicles from the public rights-of-way through the queuing and drop-off circular drive between the hours of 7:30 AM through 9:00 AM and 2:00 PM and 3:30 PM. Thereafter, School employee(s) shall direct vehicles from the public rights-of-way through the queuing and drop-off circular drive between the hours of 7:30 AM through 9:00 AM and 2:00 PM and 3:30 PM every day School is in session. School employee(s) shall assist students from the vehicles to the front door of the School. Temporary traffic devices, such as traffic cones, may be utilized.

(f) Parking in the stacking spaces as well as queuing and drop-off circular drive is prohibited. Following the first three (3) days of each academic school year, parents of children over three (3) years of age shall not be permitted to park their vehicles to walk their children to class or meet with School employees without a previously scheduled appointment. All School appointments shall take place prior to 8:00 AM or after 3:30 PM.

(g) Under no circumstances shall parking associated with the School or School-related special events occur within the rights-of-way, swales, grass areas, and lawn areas outside of the Property.

(h) All School-related special events shall be conducted in a manner, such as staggering classes, to ensure adequate parking capacity and compliance with subparagraph (f). All School-related special events in which the entire student body is permitted to invite parents/guardians or guests shall be located off-site. The use of Parcel A for School activities and/or events shall be prohibited between the hours of 9:00 PM and 6:00 AM, seven days per week.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly

(Public Hearing)



(Space reserved for Clerk)

authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification. Amendment. Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition

(Public Hearing)



(Space reserved for Clerk)

to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidity of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation

(Public Hearing)

(Space reserved for Clerk)

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or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]



This instrument was prepared by:

Name: Melissa Tapanes Llahues, Esq.  
Bercow Radell & Fernandez, P.A.

Address: 200 South Biscayne Blvd., Suite 850  
Miami, Florida 33131

CZAB 10 — March 19, 2013

Item A — Z 12-085

Julmar 147 Investments

Part 2 of 2 Covenants

Draft

(Space reserved for Clerk)

PLANNING AND ZONING  
AGENDA OFFICE  
2013 MAR 11 AM 11:26

### DECLARATION OF RESTRICTIONS - RESIDENTIAL

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described as the North ½ of Tract 6, less the West 305 Feet and less the North 25 Feet thereof, lying in Section 10, Section 54 South, Range 39 East of "J.G. Heads Farms", according to the Plat thereof, recorded in Plat Book 46, at page 44, of the Public Record of Miami-Dade County, and hereinafter called the "Property," which is supported by the attorney's opinion, and

WHEREAS, the undersigned Owner intends to develop the Property as a six single family residences, and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 12-085 ("Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Approved Plan for the Property.** The Property shall be developed substantially in accordance with the plans previously submitted, only as it applies to the subject property described above, prepared by Villa & Associates, A.I.A., entitled, "Higher Learning Educational Center & 6 Residential Lots," consisting of four (4) sheets dated stamped received August 21, 2012, and three (3) sheets dated stamped received August 13, 2012, said plans being on file with the Miami- Dade County Department of Regulatory and Economic Resources, and by reference made a part of this Declaration.
- (2) **Density.** The development of the Property shall be limited to a maximum of six units per gross acre for a total of six single-family residential lots.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the

(Public Hearing)

requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification. Amendment. Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

**Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in

(Public Hearing)



addition to any other remedies available at law, in equity or both.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidity of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its

(Public Hearing)



(Space reserved for Clerk)

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full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

**Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

# Memorandum



244698

**Date:** September 26, 2012

**To:** Jack Osterholt, Deputy Mayor/Director  
Regulatory and Economic Resources Department

**From:** Jack Kardys, Director  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

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This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS

### Local Recreation Open Space Level of Service, 2012

Park Benefit District	Unincorporated Population (1) Plus Permitted Development	Standard @ 2.75 Acres Per 1000 Residents	Public Park Acres (2)	School Acres (3)	Private Open Space Acres (4)	Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
1	370,546	1,019.00	763.09	299.82	267	1,329.91	310.91	131%
2	600,714	1,651.96	1,317.61	356.30	473	2,146.91	494.95	130%
3	154,867	425.88	448.99	96.62	89	634.61	208.73	149%
<b>TOTAL</b>	<b>1,126,127</b>	<b>3,096.85</b>	<b>2,529.69</b>	<b>752.74</b>	<b>829</b>	<b>4,111.43</b>	<b>1,014.58</b>	<b>133%</b>

Source: (1) Miami Dade Department of Planning and Zoning, June 2012

(2) Miami-Dade County Park and Recreation Department, Planning and Research Division, June 2012

(3) Miami-Dade County School Board, Site Planning Department 11/28/08

(4) Private Open Space is one-half of total private acres.

# Memorandum



**Date:** September 28, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Kathleen Woods-Richardson, Director  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in black ink, reading "Kathleen Woods-Richardson".

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

- c: Paul Mauriello, Assistant Director, Operations
- Christopher Rose, Assistant Director, Administration
- Asok Ganguli, Assistant Director, Technical Services
- Michael Moore, Assistant Director, Disposal Operations

**Public Works and Waste Management Department (PWWM)  
Solid Waste Management Disposal Facility Available Capacity  
From Fiscal Year 2012-13 Through Fiscal Year 2028-29**

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL		
OCT. 1, 2012 TO SEPT. 30, 2013	1,522,000	1,551,718	194,000	1,357,718	6,199,967	216,000	5,983,967	1,717,327	124,000	1,593,327	250,000	784,000	738,000
OCT. 1, 2013 TO SEPT. 30, 2014	1,522,000	1,357,718	194,000	1,163,718	5,983,967	216,000	5,767,967	1,593,327	124,000	1,469,327	250,000	784,000	738,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,522,000	1,163,718	194,000	969,718	5,767,967	216,000	5,551,967	1,469,327	124,000	1,345,327	250,000	784,000	738,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,522,000	969,718	194,000	775,718	5,551,967	216,000	5,335,967	1,345,327	124,000	1,221,327	250,000	784,000	738,000
OCT. 1, 2016 TO SEPT. 30, 2017	1,522,000	775,718	194,000	581,718	5,335,967	216,000	5,119,967	1,221,327	124,000	1,097,327	250,000	784,000	738,000
OCT. 1, 2017 TO SEPT. 30, 2018	1,522,000	581,718	194,000	387,718	5,119,967	216,000	4,903,967	1,097,327	124,000	973,327	250,000	784,000	738,000
OCT. 1, 2018 TO SEPT. 30, 2019	1,522,000	387,718	194,000	193,718	4,903,967	216,000	4,687,967	973,327	124,000	849,327	250,000	784,000	738,000
OCT. 1, 2019 TO SEPT. 30, 2020	1,522,000	193,718	193,718	0	4,687,967	216,282	4,471,685	849,327	124,000	725,327	250,000	784,000	738,000
OCT. 1, 2020 TO SEPT. 30, 2021	1,522,000	0	0	0	4,471,685	410,000	4,061,685	725,327	124,000	601,327	250,000	784,000	738,000
OCT. 1, 2021 TO SEPT. 30, 2022	1,522,000	0	0	0	4,061,685	410,000	3,651,685	601,327	124,000	477,327	250,000	784,000	738,000
OCT. 1, 2022 TO SEPT. 30, 2023	1,522,000	0	0	0	3,651,685	410,000	3,241,685	477,327	124,000	353,327	250,000	784,000	738,000
OCT. 1, 2023 TO SEPT. 30, 2024	1,522,000	0	0	0	3,241,685	410,000	2,831,685	353,327	124,000	229,327	250,000	784,000	738,000
OCT. 1, 2024 TO SEPT. 30, 2025	1,522,000	0	0	0	2,831,685	410,000	2,421,685	229,327	124,000	105,327	250,000	784,000	738,000
OCT. 1, 2025 TO SEPT. 30, 2026	1,522,000	0	0	0	2,421,685	428,673	1,993,012	105,327	105,327	0	250,000	784,000	738,000
OCT. 1, 2026 TO SEPT. 30, 2027	1,522,000	0	0	0	1,993,012	534,000	1,459,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2027 TO SEPT. 30, 2028	1,522,000	0	0	0	1,459,012	534,000	925,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2028 TO SEPT. 30, 2029	1,522,000	0	0	0	925,012	534,000	391,012	0	0	0	250,000	784,000	738,000
REMAINING YEARS				7			17			13		17	

ANNUAL DISPOSAL RATE (in tons)	
RESOURCES RECOVERY ASHFILL	194,000
SOUTH DADE LANDFILL	216,000
NORTH DADE LANDFILL	124,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>784,000</u>

\* Ashfill capacity is for Cell 19 and Cell 20.

\*\* South Dade includes Cells 3, 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015. The Department anticipates contract renewal in 2015.

All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2010, survey with actual tons from July 2009, through June, 2010, and projected tons for July, August and September, 2010.



# Memorandum



**Date:** November 13, 2012

**To:** Jack Osterholt, Director/Deputy Mayor  
Department of Regulatory and Economic Resources

**From:** Ysela Llort, Director  
Miami-Dade Transit

**Subject:** FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Robert Pearsall, MDT  
Nilia Cartaya, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER

# Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010

**Date:** September 5, 2012  
**To:** Jack Kardys, Director  
Park and Recreation Department  
**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources  
**Subject:** Blanket Concurrency Approval for Recreation and Open Space

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The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 10**

**PH: Z12-085 (12-12-CZ10-1)**

**March 19, 2013**

**Item No. A**

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Julmar 147 Investment, LLC
<b>Summary of Requests</b>	The applicant is seeking a district boundary change from AU to RU-1M(a) to permit a private school and daycare and six (6) residential lots. A special exception to permit a private school, an unusual use to permit a daycare and non-use variances of setback and right-of-way requirements.
<b>Location</b>	Lying South of SW 15 <sup>th</sup> Street, between SW 145 <sup>th</sup> Ave and SW 147 <sup>th</sup> Ave, Miami-Dade County, Florida.
<b>Property Size</b>	2.34 acres
<b>Existing Zoning</b>	AU
<b>Existing Land Use</b>	Vacant
<b>2015-2025 CDMP Land Use Designation</b>	Low Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.</b>

This item was deferred from the February 19, 2013 meeting of the Community Zoning Appeals Board (CZAB) 10 due to an inadvertent error in the advertisement. This item was also deferred from the December 5, 2012 meeting of the CZAB 10 to allow the applicant to work with the abutting neighbors and to request representation from the Department of Regulatory and Economic Resources (Division of Environmental Resources Management) and the Department of Public Works and Waste Management.

**REQUESTS:**

**REQUEST #1 ON PARCELS "1" & "2"**

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

**REQUESTS #2, #3, #4 & #5 ON PARCEL "1"**

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a day nursery.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).

- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The applicant seeks to rezone a 2.34 acre parcel of land from AU, Agricultural to RU-1M(a), Modified Single Family Residential District and develop the site with a private school and daycare center and six residential lots.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; vacant	Low Density Residential (2.5 to 6 dua)
<b>North</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>South</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>East</b>	RU-1MA; vacant	Low Density Residential (2.5 to 6 dua)
<b>West</b>	RU-1MA; vacant	Environmentally Protected Park

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.34 acre site, located at the southeast corner of SW 15<sup>th</sup> Street between SW 147<sup>th</sup> Ave and SW 145<sup>th</sup> Ave. The subject property is surrounded by single-family residences, vacant land and an environmentally protected park.

**SUMMARY OF IMPACT:**

The approval of this application will allow the applicant to provide the community with additional educational services and housing in the area. However, the requested variances could have a minimal impact in traffic and a minimal visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as **Low Density Residential** on the Comprehensive Development Master Plan's (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, which would result in the maximum development of 14 residential units on this 2.34 acre site. However, the requested RU-1M(a) zoning district would allow a density higher than six (6) units per acre, which would be *inconsistent* with the LUP map's density allowed without a covenant limiting the maximum number of units to no more than six (6) units per acre.



Therefore, the applicant has proffered a covenant restricting the development of the 2.34 acre parcel to a maximum of 6.0 dwelling units per gross acre, which is the maximum allowed under the density threshold of the LUP map. The applicant is proposing to develop 1.18 acres of the 2.34 acre parcel (Parcel 2) with six (6) single-family residences, which is less than the maximum of seven (7) units allowed on the 1.18 acre parcel. Therefore, the development of the site with the proffered covenant will be **consistent** with the density threshold of the LUP map of the CDMP.

The CDMP Education Element Objective EDU-3 discusses suitable sites for the development and expansion of public educational facilities. **Policy EDU-3A** provides that "it is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools". In accordance with said policy, the subject property, which proposes a private elementary school and daycare, is located approximately 0.55 miles south of the UDB, which runs east to west along SW 8 Street in this area of the County, and 1.0 mile east of the UDB, which runs north to south along SW 157 Avenue in this area of the County and therefore **consistent** with said policy.

The adopted Interpretive Text of the CDMP Land Use Element under Residential Communities states that neighborhood and community services including **schools**, parks, houses of worship, **daycare centers**, group housing facilities, and utility facilities are permitted only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Compatibility shall be determined in accordance to Policy LU-4A. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of the Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change and proposed educational use. Therefore, staff opines that for the reasons previously discussed the proposed requests with the proffered covenant restricting the development of the site to a maximum of 6.0 dwelling units per acre, are **consistent** with the *Low Density Residential* designation and the Land Use Element interpretative text for Residential Communities and compatible with the surrounding area based on the that Land Use Element Policy LU-4A compatibility criteria.

### **ZONING ANALYSIS:**

The site plans submitted indicate that a private school and daycare for 200 children is proposed on the west portion of the site (parcel #1) and six (6) single-family lots are proposed on the east portion of the site (parcel #2).

When request #1, to permit a district boundary change from AU to RU-1MA is analyzed under Section 33-311, District Boundary Change, staff is of the opinion that the approval of this request will not have an unfavorable impact on the economy or on the environmental and natural resources of Miami-Dade County. Staff opines that the developments proposed by this application will not unduly burden water, sewer, solid waste disposal, recreation, education or

other necessary public facilities nor unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways based on the memoranda from the Miami-Dade County Departments concerned with reviewing this application. Therefore, staff opines that approval of request #1 is **compatible** with the neighborhood development trend and would serve a public benefit warranting the approval of the application. Furthermore, staff is of the opinion that the proposed zone change to RU-1M(a) is **compatible** with the residential development trend as evidenced by the similar rezonings in the surrounding area. Specifically, the abutting properties to the north, east and south of the subject property were respectively rezoned from AU to RU-1M(a), from 2002 to 2006, pursuant to Resolutions #CZAB10-33-02, CZAB10-53-07, CZAB10-54-07 and CZAB10-77-05. **Staff therefore, recommends approval of request #1, subject to the board's acceptance of the proffered covenant under Section 33-311, District Boundary Change.**

When requests #2, Special Exception to permit a private school and daycare, and #3, Unusual Use to permit a daycare are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of said requests would be **compatible** with the surrounding area. In staff's opinion, approval of the requested special exception and unusual use, which would allow the applicant to develop the site with a private school and daycare would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to create a fire or other equally or greater dangerous hazards, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Environmental Resources Management Division of the Department of Regulatory and Economic Resources and the Miami-Dade Fire Rescue Department. Further, said memoranda also indicates that the approval of said requests would not have negative noise, traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

Notwithstanding the foregoing, staff notes that the subject property abuts an Environmentally Endangered Land (EEL) property to the west, which was a part of the Tree Island Governmental Facilities approval pursuant to Resolution No. R-447-12 on June 5, 2012. EEL lands are typically maintained by the use of periodic ecological prescribed burning. The Florida Legislature passed the Prescribed Fire Act in 1990 to promote the importance of prescribed fire and to provide liability protection. As stated in the Environmental Resources Management Division of the Department of Regulatory and Economic Resources memorandum, such burning is generally performed once every three years and the subject property lies within the potential smoke dispersion corridor. However, staff opines that the site plan provided indicates that the school site has been designed with sensitivity to the abutting EEL property by locating the playground/recreation area on the east portion of parcel #1 of the subject property, placing the school building in between the playground area and the EEL property. Staff recommends as a condition for approval, that the proposed private school and daycare keep the children indoors on the days that prescribed burns occur.

In addition, staff notes that although the proposed playground abuts residential properties to the east and south, it is adequately buffered by a proposed continuous hedge and row of trees. However, as a condition for approval staff recommends that the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties. In addition, the plans submitted indicate that the proposed private school and daycare will be properly accessible by public roads, streets or highways, specifically SW 15th Street and SW 147th Avenue. Furthermore, the parking lot, which exceeds the parking requirement by 15 parking spaces, is located on the south portion of the subject property with the ingress and egress access provided from SW 147<sup>th</sup> Avenue. The site plan also indicates the

drop-off/pickup area along SW 15<sup>th</sup> Street. As such, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned, staff opines that the same are **compatible** with the surrounding area.

When requests #4, to permit the school setback 6' (25' required) from the side street (north) property line, request #5, to permit parking and drives within 25' of an official right-of-way (not permitted), and request #6, to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required) are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area.

Staff opines that requests #4, #5, and #6 are germane to the applicant's request to develop a private school and daycare (requests #2 and #3) on parcel #1. In staff's opinion, the proposed porte-cochere, which encroaches into the side setback area, will protect the children being dropped off from the elements and will add curb appeal to the subject property. Further, the main school building meets setback requirements and is located 26' from the side street property line. In addition, staff opines that the applicant's request to permit parking and drives within 25' of an official right-of-way will not have a negative visual impact on passersby along SW 15<sup>th</sup> Street. The submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact. Furthermore, staff opines that the reduced outdoor recreation area will not have a negative impact on the children or neighborhood given that the applicant will stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day. Consequently, staff opines that the proposed outdoor recreation area will adequately accommodate the children. As such, staff opines that the approval with conditions of these requests will not have a negative visual or aural impact on the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4, #5 and #6 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along SW 147<sup>th</sup> Avenue. The plans also show a total of 34 parking spaces, which exceeds the parking requirement by 15 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.

**CONDITIONS FOR APPROVAL:** (for requests #2 through #6 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc., Sheets A-1, A-3 & L-1 dated stamped

received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets.

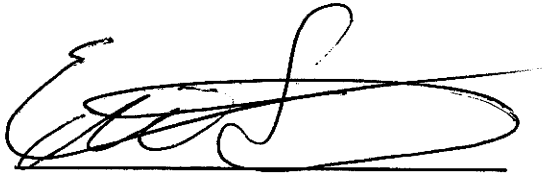
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).
6. That the private school and daycare be restricted to Infant-2 grade and to a maximum of two hundred (200) children.
7. That the hours of operation shall be from 7:00 AM to 6:30 PM.
8. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
9. That the school shall assign staff to monitor and direct on-site vehicular traffic during drop-off and pick-up times to facilitate the flow of traffic and prevent potential accumulation on the public right-of-way.
10. That the waste pick-up at the school shall be performed by a private commercial entity and shall be prohibited during arrival and dismissal times.
11. That the applicant stagger the children's recess and physical education at the outdoor recreation area by grade levels throughout the day.
12. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.
13. That the applicant obtain a new Certificate of Use from and promptly renew the same annually, with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
14. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
15. That the proposed private school and daycare keep the children indoors on the days that prescribed EEL property burns occur.

ES:MW:NN:CH:JC

Julmar 147 Investment, LL

Z12-085

Page | 7

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line.

Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department

NDN



# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Low Density Residential</b> (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Land Use Objective LU-4A</b> (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Education Element Objective EDU-3A</b> (Pg. X-5)	<i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.</i>

# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311 District Boundary Change</b></p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> <li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li> <li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li> <li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li> <li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li> <li>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></li> </ol>
<p><b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b></p>	<p><i>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>

## ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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**A. JULMAR 147 INVESTMENT, LLC**  
**(Applicant)**

**12-12-CZ10-1 (12-085)**  
**Area 10/District 11**  
**Hearing Date: 03/19/13**

Property Owner (if different from applicant) **Oscar Castillo Trustee.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? OSCAR

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
None				

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP**

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

**A**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	February 19, 2013	CZAB10		13

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>March 19, 2013</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER: Deferral was due to an advertising issue with the application. Board members were		
told by staff that their attendance was not necessary for this hearing.		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Julio R. CACERES			X
COUNCILMAN		Jose GARRIDO			X
COUNCILWOMAN		Miriam PLANAS			X
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Manuel VALDES			
VICE CHAIRMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ			

VOTE:

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: LAUREN MORSE



**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP**

#1

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

REPRESENTATIVE: **Guillermo Olmedillo**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	December 5, 2012	CZAB10		12

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

- ☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_
- ☒ DEFER: ☐ INDEFINITELY ☒ TO: February 19, 2013 ☐ W/LEAVE TO AMEND
- ☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE
- ☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS
- ☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.
- ☐ WITH CONDITIONS

☒ OTHER: Deferred in order for the applicant to revise the covenant and to meet with the neighbors. The Board also has requested a staff member of the Environment Division of RER and a staff member from the Traffic Division of Public Works and Waste Management to attend the February hearing in 2013 to address some concerns that the Board has about the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN		Richard M. GOMEZ	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS	<b>X</b>		
COUNCILMAN	<b>S</b>	Gerardo RODRIGUEZ	<b>X</b>		
COUNCILMAN		Manuel VALDES	<b>X</b>		
COUNCILMAN		Toufic ZAKHARIA			<b>X</b>
CHAIRMAN		Jose GARRIDO (C.A.)	<b>X</b>		
VOTE:			<b>6</b>	<b>0</b>	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **LAUREN MORSE  
DAVID HOPE**

# Memorandum



**Date:** October 23, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources

**Subject:** C-10 #Z2012000085-3<sup>rd</sup> Revision  
Oscar Castilla  
SE corner of the intersection of SW 147<sup>th</sup> Avenue and 15<sup>th</sup> Street  
District Boundary (Zone) Changes to RU-MA. Special Exception to  
Permit a K-2 School  
(AU) (2.34 Acres)  
10-54-39

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

## Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

## Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity

in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

The proposed development is located within Bird Drive Basin, where a portion of the site must be set aside for stormwater management as required by the Code, to comply with the official Miami-Dade County report for that Basin. If said property has been continuously four and one-half (4.5) acres or less in size since September 30, 1997, the applicant may opt to pay a financial contribution into the Stormwater Compensation Trust Fund in lieu of providing set aside area for surface Water Management.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

This Program has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be changed to indicate the preservation of the tree island and a suitable amount of buffer to the development.

Please contact the Wetland Resources Program at (305)372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Natural Forest Communities

The subject property lies east to an Environmentally Endangered Land property (EEL) (Tree Island Park). EEL properties are subject to the Natural Forest Communities regulations in Section 24-49 of the Code and EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. Due to the quality of these habitats, the County recommends maintaining these globally imperiled Natural Forest Communities areas as a natural preserve. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

#### Tree Preservation

The subject property contains tree resources and contains wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

#### Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDM for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources



## PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: OSCAR CASTILLA, TRUSTEE

This Department has no objections to this application.

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Site Plans S1, dated 08/06/2012 and received by Zoning on 08/23/2012; the Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively; and the Traffic Operations Plan, dated 08/21/2012, for the proposed facility located at the intersection of at SW 147 Avenue and SW 15 Street, and has the following comments:

### Site Plan Review:

The Site Plans named S1, dated 08/06/2012 and received by Zoning on 08/23/2012, are acceptable and must supersede all other hearing site plans.

### Traffic Study Review:

Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively, must be included within the permanent zoning hearing documents.

### Traffic Operations Plan (TOP) Review:

The Traffic Operations Plan, dated 08/21/2012, is acceptable. The Traffic Operations Plan scanned as part of the zoning hearing documents must be rescanned to contain page 2 of 3.

### Project Requirements:

All off-site improvements shall be constructed prior to the school opening.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 147 Avenue and SW 15 Street adjacent to the site. A school speed zone and flashing signals may be waived at this time with the

provision that a school policy explicitly stating that all students must be accompanied by an adult to and from school at all times is provided within a covenant for this facility and published as school policy; and the school administration agrees to timely purchase and install such traffic control devices, if the Miami-Dade County Public Works and Waste Management Department determines the future need for said devices.

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school opening or expansion. The "Declaration of Restrictions" shall include a Traffic Operations Plan narrative and plan that has been found acceptable by TED.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Please contact Ricardo Gavilan at 305-375-2030, if you have any questions concerning this recommendation.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 132 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

12-SEP-12

## PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-085  
Updated Oscar Castilla, Trustee

**Application:** *Oscar Castilla, Trustee* is still requesting a District Boundary Change from Agricultural (AU) to modified Single-family Residential (RU1-MA), and a special exception for a school serving grades K to 2. Currently, the applicant is also requesting a variance for a setback on the property.

**Size:** The subject property is approximately 2.35 acres.

**Location:** The subject property is approximately south of SW 15<sup>th</sup> Street, between SW 145<sup>th</sup> Avenue and SW 147<sup>th</sup> Avenue in Miami-Dade County, Florida.

### Analysis:

#### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

#### 2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated July 10, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The placement of a school on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

#### 3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3 states** the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

#### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**



**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: Vacant land on SW 147th Avenue & 15th Street Tax Folio # 30-4910-003-0050

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_
2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
3. Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pk-2nd Grade)
4. Number of teachers: 16 Number of administrative & clerical personnel: 4.
5. Number of classrooms: 11 Total square footage of classroom area: 7,082 sq. ft.
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
5,059 sq. ft. - Includes Stairs and Elevator
7. Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 34 spaces parking spaces required by §33-124(L) = 20 spaces
10. Indicate the number of auto stacking spaces: 5 provided 5 required.
11. Proposed height for the structure(s): 35'-0" See §33-151.18(g).
12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(c).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
13. Days and hours of operation: Infants - Pk - 2nd Grd School shall operate M to F 7 am to 6:30 pm.
14. Does the subject facility share the site with other facilities? ☐ Yes ☒ No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). No Residential Uses

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212-087  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY AB

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 160 (number of children) = 5,600 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,800 sq. ft.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,082 sq. ft.

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 80 (½ of children) = 3,600 sq. ft.

- b. Grades 1-6 500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.

300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0 sq. ft.

300 sq. ft. x 0 (next 300 children) = 0 sq. ft.

150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48

- b. Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500.

- c. Grass area for organized sports/play area in square feet: 11,350 sq. ft. total recreation area

- d. Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY

School Address: Vacant land on SW 147th Avenue & 15th Street - Miami, Florida Zip Code: 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15th day of June 2012  
at Miami-Dade County, Florida.

Jorge L. Villavicencio, R.A.

Signature

WITNESSES:

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

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212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AP



# Memorandum

**Date:** 13-SEP-12

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department

**Subject:** Z2012000085

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to site plan date stamped received August 21, 2012. Any changes to the vehicular circulation must be resubmitted for review and approval. This plan has been reviewed to assure compliance with the MDR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDR requirements.

## Service Impact/Demand

Development for the above Z2012000085

located at LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1430 is proposed as the following:

_____ dwelling units	_____ square feet
residential	industrial
_____ square feet	_____ square feet
Office	institutional
_____ square feet	12,140 square feet
Retail	nursing home/hospitals

Based on this development information, estimated service impact is: 8.14 alarms-annually.  
The estimated average travel time is: 6:20 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street  
ALS Engine.

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 21, 2012. Substantial changes to the plan will require additional service impact analysis.

# Memorandum



**Date:** January 28, 2013

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2012000085: JULMAR 147 INVESTMENT, LLC

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**Application Name:** JULMAR 147 INVESTMENT, LLC

**Project Location:** The site is located south of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from AU TO RU-1MA and a special exception to permit a school (K-2).

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



DATE: 29-AUG-12  
REVISION 1

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

OSCAR CASTILLA, TRUSTEE

LYING SOUTH OF SW 15 STREET,  
BETWEEN SW 145 AVENUE & SW  
147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

Z2012000085

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**HEARING NUMBER**

**HISTORY:**

ENFORCEMENT HISTORY: NC: Case was opened on August 9, 2012 for junk/trash overgrowth and warning issued August 21, 2012 to be corrected by September 5, 2012. Prior case opened July 7, 2011 for failure to perform lot maintenance and citation issued. Affidavit compliance July 29, 2011. CVN electronically closed August 6, 2011 and case closed September 20, 2011. BNC: No bss cases open/closed.

Oscar Castilla Trustee

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**

### DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Julmar 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>13911 SW 42nd St #205 Miami, FL 33175</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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212-095  
SEP 19 2012  
MANHATTAN  
BY HH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

NAME OF PURCHASER: \_\_\_\_\_

Percentage of Interest

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Date of contract: \_\_\_\_\_

262-015  
SEP 19 2012  
ZONING HEARINGS SECTION  
MASS-DASH PLANNING AND ZONING DEPT.  
BY *AD*

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

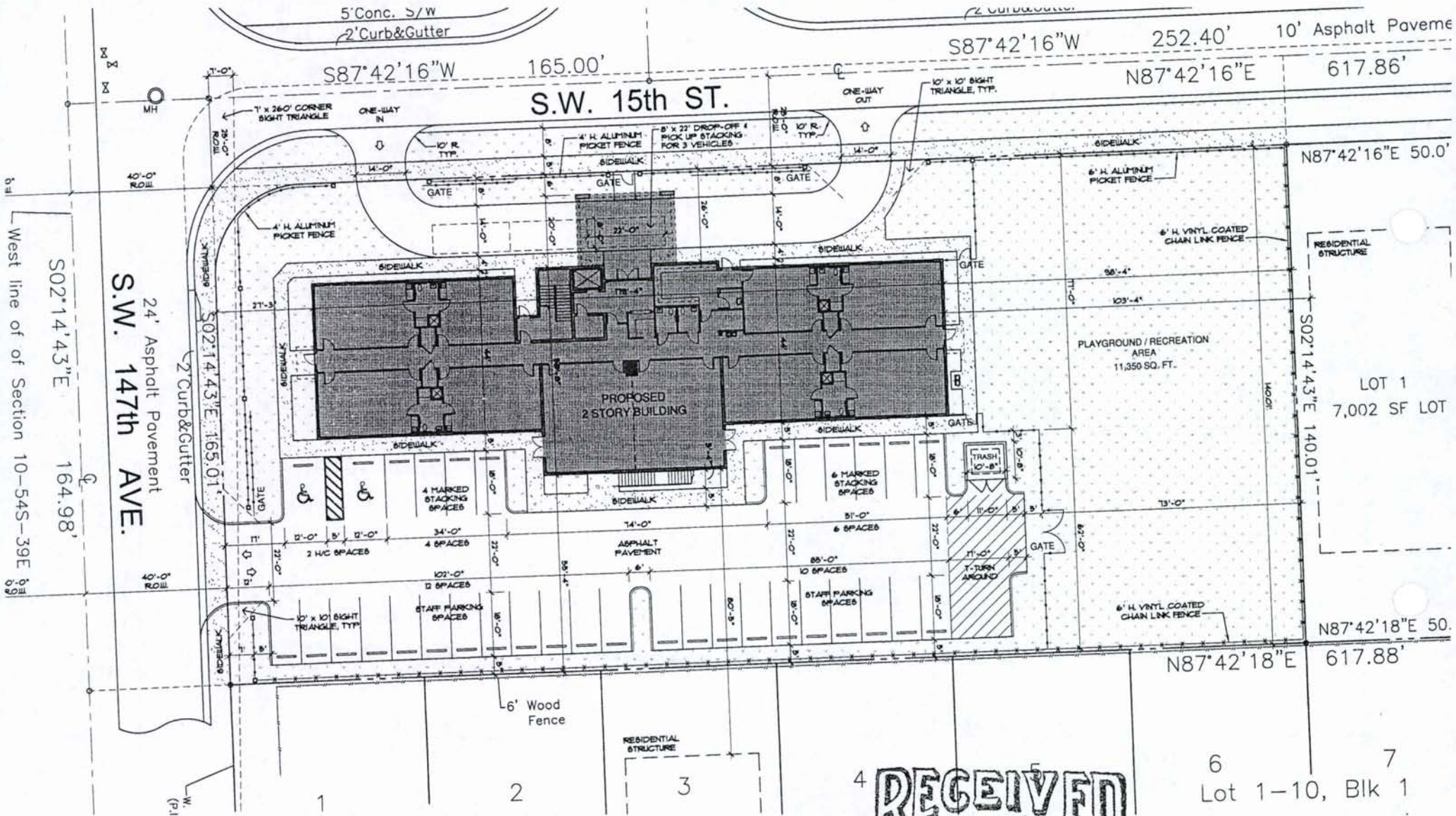
Sworn to and subscribed before me this 10<sup>th</sup> day of Sept, 2012. Affiant is personally know to me or has produced C234-540-163445-0 as identification.

 **NATALINE GARCIA**  
MY COMMISSION # EE 107787  
EXPIRES: June 28, 2015  
Bonded Thru Notary Public Underwriters

My commission expires: 6/28/2015

Seal

30

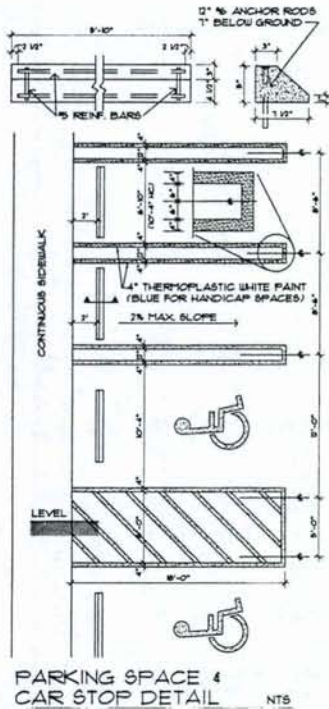
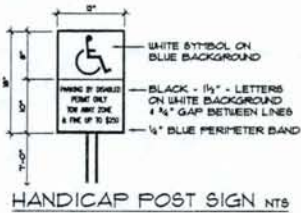


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 212-085  
 AUG 21 2012

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY STH



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MIAMI-DADE COUNTY  
PLANNING & ZONING  
SECTION  
AUG 21 2012

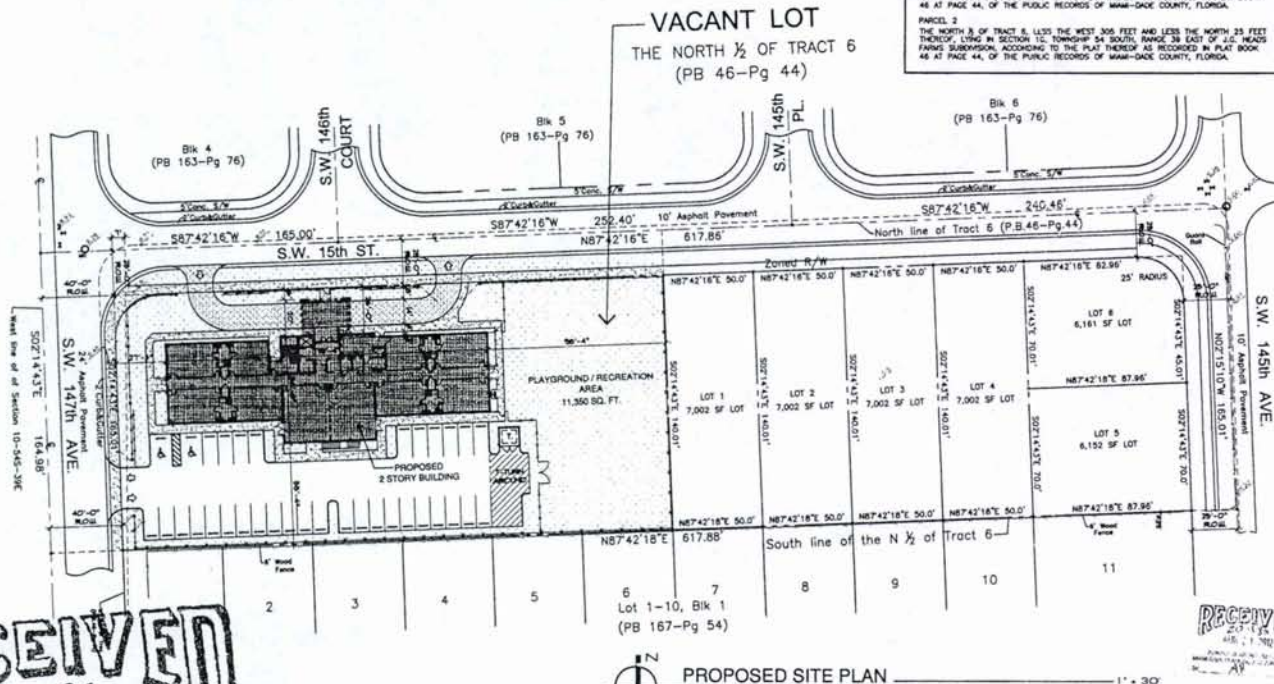


SITE SUMMARY	
LOCATION — SW 15th STREET AND 147th AVENUE MIAMI, FLORIDA 33154	SETBACKS:
TRACT NO. — 30-4910-003-0050 (TOTAL PROPERTY)	FRONT — NORTH (TO DROP OFF) — 6'-0"
ZONING — AU — Applying for — RU-1-MA	FRONT — NORTH (TO BUILDING WALL) — 28'-0"
ZONING RESOLUTIONS — N/A	SIDE STREET — WEST — 27'-0"
	SIDE — EAST — 98'-4"
	REAR — SOUTH — 50'-4"
	SIDE — EAST (TO RESIDENTIAL STRUCTURE) — 103'-4"
	REAR — SOUTH (TO RESIDENTIAL STRUCTURE) — 80'-5"
	SIDE STREET — WEST (TO RESIDENTIAL STRUCTURE) — 132'-3"
TOTAL EXISTING LOT AREA — GROSS: 108,543 S.F. (2.48 ACRES)	
TOTAL NET: N/A — NOT YET SUBDIVIDED	
PROPOSED LOT AREAS:	SUMMARY OF OVERALL LOT COVERAGE:
PARCEL "1" LOT AREA — GROSS: 56,915 S.F. (1.31 ACRES)	TOTAL PROPOSED BUILDING LOT COVERAGE — 9,090 SQ. FT. 21.3 %
TOTAL NET: 42,896 S.F. (0.98 ACRES)	ASPHALT PAVED, SIDEWALKS AND PAVED AREAS — 14,708 SQ. FT. 34.4 %
PARCEL "2" LOT AREA — GROSS: 51,648 S.F. (1.18 ACRES)	LANDSCAPE OPEN SPACE — 18,898 SQ. FT. 44.3 %
TOTAL NET: 40,321 S.F. (0.93 ACRES)	TOTAL AREA — 42,896 SQ. FT. 100.0 %
PARCEL "2" TO BE SUBDIVIDED INTO 8 RU-1-MA RESIDENTIAL LOTS	OUTDOOR RECREATION AREA — 11,350 SQ. FT. 26.6 %
PROPOSED BUILDINGS:	
1) TWO STORY HIGHER LEARNING EDUCATIONAL CENTER	PARKING REQUIRED: AS PER 33-124 MDC ZONING CODE
COVERED DROP OFF — 557 SQ. FT.	— SCHOOL (INFANTS — PK TO 2ND GRADE) — 20 SPACES
FIRST FLOOR AREA — 8,533 SQ. FT.	AS PER 33-124(3) 1 & 2
SECOND FLOOR AREA — 3,051 SQ. FT.	— INFANTS — PK TO 2ND GRADE: 1 SPACE PER STAFF + 20 = 20 SPACES
PROPOSED SCHOOL BUILDING AREA = 12,141 SQ. FT.	TOTAL PARKING REQUIRED — 20 SPACES
TOTAL PROPOSED BUILDING LOT COVERAGE = 9,090 SQ. FT. 21.3 %	
TOTAL PROPOSED BUILDING AREA = 12,141 SQ. FT.	PARKING PROVIDED:
	— STANDARD — 8.5' X 18' — 32 SPACES
	— HANDICAP — 12.0' X 18' — 2 SPACES
	TOTAL PARKING PROVIDED — 34 SPACES



LOCATION — N.T.S.

LEGAL DESCRIPTIONS:  
PARCEL 1  
THE WEST 305 FEET OF THE NORTH 1/2 OF TRACT 6, LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 38 EAST OF J.C. HENDS FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.  
PARCEL 2  
THE NORTH 1/2 OF TRACT 6, LESS THE WEST 305 FEET AND LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 38 EAST OF J.C. HENDS FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



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PROPOSED SITE PLAN

REFER TO SHEET A-3 FOR COMPLETE  
SITE PLAN DIMENSIONS

REFER TO SHEET A-2 FOR  
CHILD CARE CHECKLIST

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REVISIONS:

NO.	DATE	DESCRIPTION
1	08-06-12	1" = 30'

DATE SUBMITTED FOR REVIEW: 08-06-12

REVISION NO.: 1

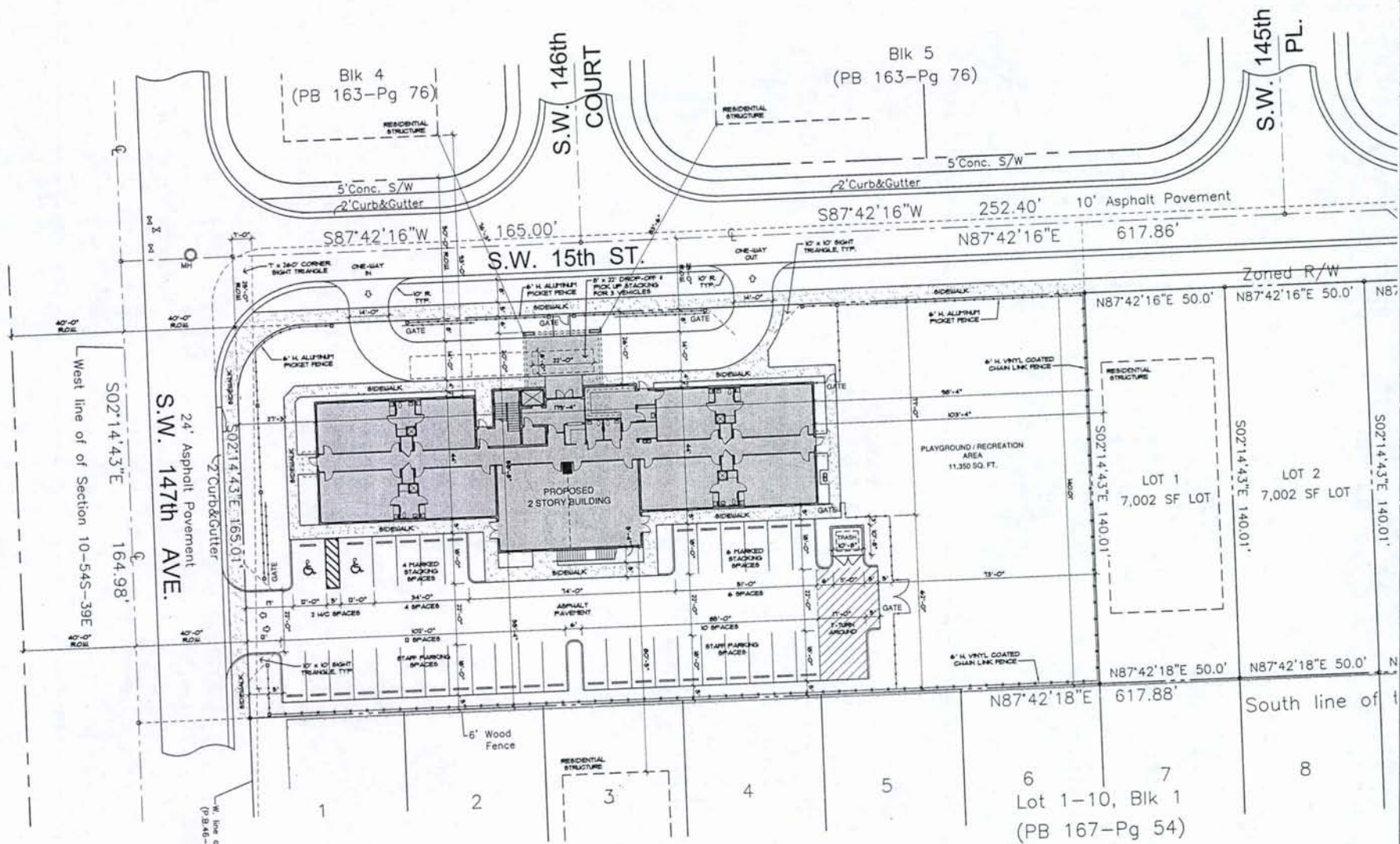
A-1 of 7

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4910-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
7744 SW 48 STREET - SUITE PL. 200B - MIAMI, FL 33155  
305-551-9991  
CONSULTANT 1



33



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PROPOSED SITE PLAN 1/16" = 1'

REVISIONS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
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# CHILD CARE CHECKLIST REQUIREMENTS FOR ZONING HEARING

- Day nurseries, day care centers and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3M, RU-3L, RU-4, RU-4M, RU-4L, RU-5, RU-5A, OPO, BU (Business) or RU (Industrial) and meet all requirements including setbacks for buildings of public assembly where occupancy is for 25 or more, or other applicable setbacks. Must also comply with all other code requirements including, but not limited to, handicap accessibility and plumbing fixture count.
  - Private schools are permitted on properties zoned RU-3, RU-3M, RU-3L, RU-4, RU-4M, RU-4L, RU-5, RU-5A, OPO and BU (Business) subject to compliance with the aforementioned requirements.
  - Must comply with all requirements of Article XA, §§33-151.11 through 33-151.22 Zoning Code of Miami-Dade County.
  - Submit one full set of folded plans and 1 C.O. (PDF Format) containing an identical set of plans for zoning hearing review, including:
    - Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and automobile stacking.
    - Floor plans identifying classroom area(s) - dimensioned (note: an architect or engineer must seal the plans for 50 or more children).
    - Completed Child Care Checklist (attached)
    - Landscape plans, Landscape Legend and Certification of Compliance with Chapter 184 (Landscape Code).
- The Department of Planning and Zoning will review the application and accompanying plans. Early contact with the sections involved would be beneficial to the applicant. Contact the Zoning Information Section at (305) 375-1808, the Zoning Processing Section at (786) 315-2000 and the Planning Division at (305) 375-2000. Apply for a building permit at 11800 S.W. 26 Street, between the hours of 7:30 a.m. and 10:00 a.m. Tuesday through Friday. If you have any questions regarding the process for applying for a building permit, please contact the Permit Section at (786) 315-2100.

Department of Planning and Zoning  
Zoning Hearings Section  
111 N.W. 1 Street, 11<sup>th</sup> Floor  
Miami, Florida 33138  
(305) 375-2940

- Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School
- School Name: HIGHER LEARNING EDUCATIONAL CENTER
- School Address: 3000 SW 15th Avenue # 150 Street Tax File # 30-4910-003-0000
- Is this an expansion to an existing school? Yes ☒ No ☐ If yes, indicate the number of students \_\_\_\_\_ and age and grade ranges originally approved \_\_\_\_\_
  - Total size of site \_\_\_\_\_ = 42,895 sq. ft. / 43,560 sq. ft. = 0.98 acres
  - Number of children or students requested: 200 Ages: Infant - 5 years old (Infant-Pk 2nd Grade)
  - Number of teachers: 15 Number of administrative & clerical personnel: 6
  - Number of classrooms: 11 Total square footage of classroom area: 7,062 sq. ft.
  - Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 5,028 sq. ft. - Includes Stair and Elevator
  - Amount of outdoor recreation/play area in square footage: 11,250 sq. ft.
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(g).
- Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  - Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 24,800 sq. ft. parking spaces required by §33-124(c) = 20,800 sq. ft.
  - Indicate the number of auto stacking spaces: 5 provided 5 required.
  - Proposed height for the structure(s): 35' 0" See §33-151.18(g).
  - Size of identification sign: 6' x 6' x 6' See §33-151.18(g). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  - Days and hours of operation: Infant-Pk 2nd Grade School shall operate M to F, 7 am to 6:30 pm
  - Does the subject facility share the site with other facilities? Yes ☒ No ☐ If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16.
  - If the school will include residential uses, do such uses meet the standards provided in §33-151.17? Yes ☐ No ☒ If yes, describe the residential uses and indicate same on the plans. See Residential Uses.

## DEFINITIONS

Day Nursery	Childcare for infants and children up to the age of six (6).
Kindergarten	Childcare and preschool programs for children ages four (4) through six (6).
After-School Care	Childcare and recreation for children above the age of five (5) when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacation.
Retail/Selling Service for Shoppers	Childcare for limited time periods (maximum three (3) hours) provided within a shopping center solely for the convenience of the patron, and limited to not more than forty (40) children at any one time.
College or University	An institution of higher learning beyond the high school level.
Family Day Care	Childcare and recreation with a maximum of five (5) children including the day care operator's own children.
Private School	This term as used herein refers to any private institution providing childcare and/or instruction at any level from infants through the college level.
Elementary, Junior, and/or Senior High	Reference to these schools are to be broadly interpreted to encompass any schools, graded or ungraded, whose students are within the age ranges typically found at these school levels.
Child, Student, Pupil	The words "child," "student," or "pupil" and their plurals are used interchangeably.

- PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.
- The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.
- CLASSROOM SPACE: Calculated by grade levels.
- Day Nursery/Kindergarten, preschool and after-school care  
35 sq. ft. x 150 (number of children) = 5,250 sq. ft. of classroom area required.
  - Elementary Grades 1-6  
30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.
  - Junior High and Senior High Schools (Grades 7-12)  
25 sq. ft. x 50 (number of children) = 1,250 sq. ft. of classroom area required.
- TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 5,250 sq. ft.  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,062 sq. ft.
- OUTDOOR RECREATION SPACE:
- Day Nursery/Kindergarten, preschool and after-school care  
45 sq. ft. x 150 (number of children) = 6,750 sq. ft.
  - Grades 1-6  
300 sq. ft. x 30 (first 30 children) = 9,000 sq. ft.  
300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.
  - Grades 7-12  
800 sq. ft. x 5 (first 30 children) = 4,000 sq. ft.  
300 sq. ft. x 5 (first 30 children) = 1,500 sq. ft.  
150 sq. ft. x 10 (remaining children) = 1,500 sq. ft.
- TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,800 sq. ft.  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,250 sq. ft.
- TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.
- 28 trees are required per net acre. Trees required: 48.8 Trees provided: 48
  - Ten shrubs are required for each tree required. Shrubs required: 488 Shrubs provided: 500
  - Grass area for organized sports/play area in square feet: 11,250 sq. ft. site/recreation area
  - Least area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

## CHILD CARE CHECKLIST

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HIGHER LEARNING EDUCATIONAL CENTER

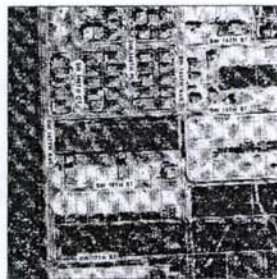
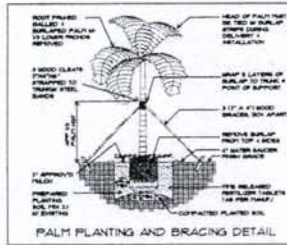
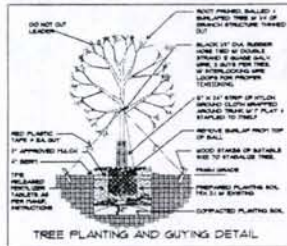
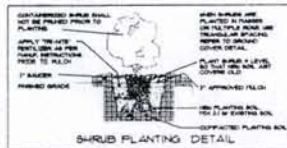
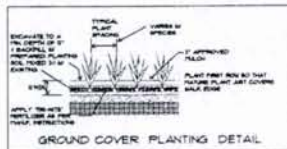
8 RESIDENTIAL LOTS  
FOLD # 30-4910-003-0000  
VACANT LAND ON SW 15th STREET AND 14th AVENUE

VILLA & ASSOCIATES INC.  
ARCHITECTS  
7844 SW 48 STREET - MIAMI, FL 33156 - (305) 847-9291



DATE: 08-08-12 SCALE: 1" = 1'  
DATE SUBMITTED FOR REVIEW: 1  
DRAWING NO.: A-2 OF 7





LOCATION — N.T.S.

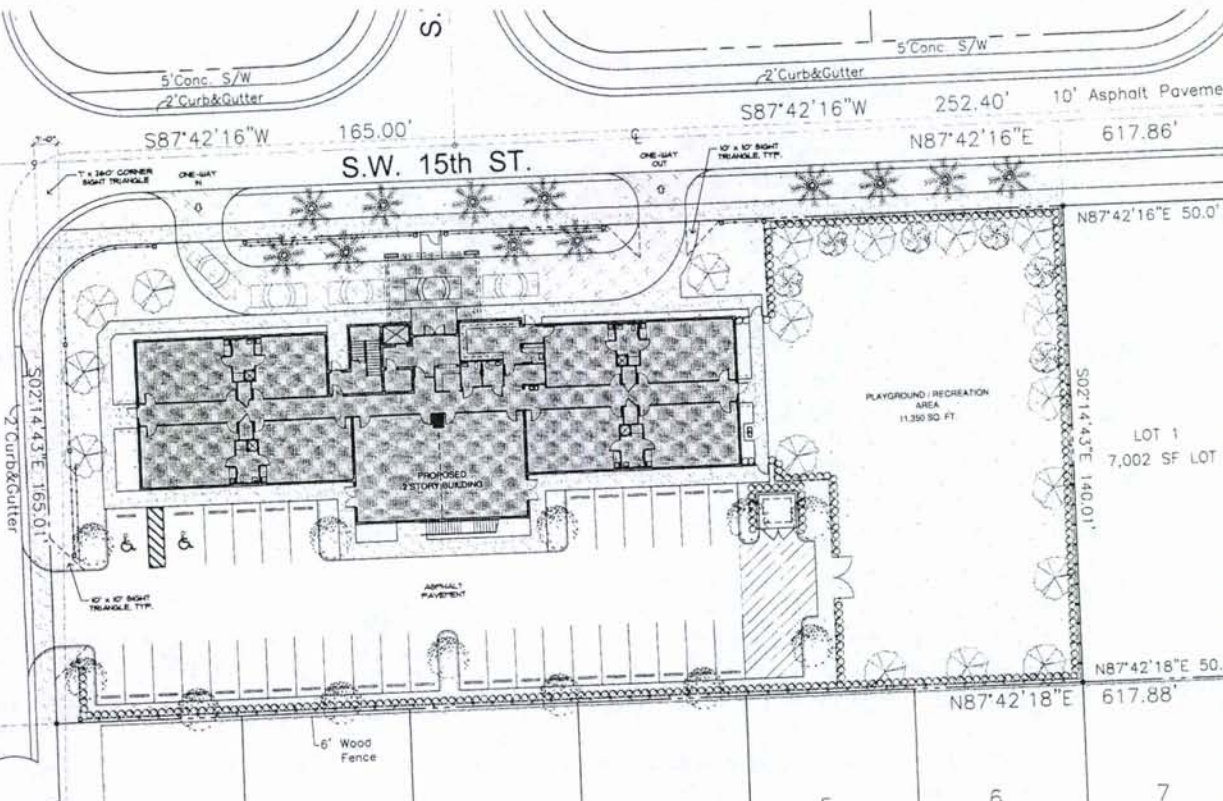
West line of Section 10-54S-39E

S02°14'43"E 164.98'

S.W. 14th AVE.

24' Asphalt Pavement

S02°14'43"E 165.01'



NOTE:  
TREES PLANTED 7' FROM THE RIGHT OF WAY CAN  
BE COUNTED TOWARD THE STREET TREE REQUIREMENT.

LANDSCAPE SCHEDULE

KEY	COMMON NAME	BOTANICAL NAME	HEIGHT AT PLANTING	NATURAL HEIGHT RANGE	NATIVE	QUANTITY
A	LIVE OAK	QUERUS VIRGINIANA	14' (2.5" CALIPER) AT PLANTING	40' TO 50'	YES	18
B	PIGEON PLUM	COCOLOBA DIVERSIFOLIA	12' (2" CALIPER) AT PLANTING	20' TO 25'	YES	8
C	SILVER BUTTWOOD	CONOCARPUS ERECTUS	12' (2" CALIPER) AT PLANTING	10' TO 15'	YES	12
D	ROYAL PALM	ROYSTONIA ELATA	15' AT PLANTING	40' TO 60'	YES	12
F	RED-TIP COCOPLUM	CHRYSOBALANUS ICAGO VARI. PELLUCIDUS	36" H. & 24" O/C AT PLANTING	6'	YES	500

- Landscaping contractor shall provide irrigation system for all landscape areas. Provide Shop Drawing Plans for approval.
- PERIMETER HEDGE SHALL BE KEPT AT A MAXIMUM 6" IN HEIGHT ONCE MATURE.

LANDSCAPE LEGEND

Zoning District: RU-1-MA Net Lot Area: 0.96 acres 42,696 s.f.  
 OPEN SPACE  
 A. Square feet of open space required by Chapter 33, as indicated on site plan  
 Net lot area = 42,696 square feet ÷ 25.3 = 1,687 s.f.  
 B. Square feet of parking lot open space required by Chapter 33A, as indicated on site plan  
 The number of parking spaces = 36 ÷ 10 square feet per parking space = 3.6 s.f.  
 C. Total square feet of landscaped open space required by Chapter 33 ÷ A = 1,687 s.f.  
 LAWN AREA CALCULATION  
 A. Total square feet of landscaped open space required by Chapter 33 ÷ 1,687 square feet  
 B. Maximum lawn area (12' Augustine soil permitted) = 50.3 ÷ 1,687 square feet = 3,043 s.f.  
 TREES  
 A. The number of trees required per net lot acre = 20 TREES PER NET ACRE  
 = 20 trees ÷ 0.96 net lot acreage = 20.8 TREES  
 B. Street trees (max. average spacing of 35' each) linear feet along street ÷ 35 = 18.7  
 C. Parking lot trees (1 per 90 s.f. of parking landscape area) 360 s.f. ÷ 90 = 4 trees  
 D. Total number of trees required & provided = 44.6  
 E. 30% pain trees allowed = 12 Royal Palms provided = 12 TREES ÷ 25.3  
 F. Percentage of native trees required = the number of trees provided 48 ÷ 30.1 = 16.4  
 SHRUBS  
 A. The total number of trees required 44.6 ÷ 10 = 446 required shrubs  
 B. Percentage of native shrubs required = 30% of native shrubs required  
 = 133.8 shrubs or less 133 provided  
 C. Total number of shrubs required & provided = 133.8 shrubs

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HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLD # 30-4910-003-0050  
VACANT LAND ON SW 15th STREET AND 14th AVENUE

COMPLETION LICENSE  
ARCHITECTURE  
ARCHITECTURE  
JAMES J. VILLALBA  
NO. 00000111

VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
7544 SW 48 STREET  
MIAMI, FL 33156  
(305) 551-8811  
CONSULTANT

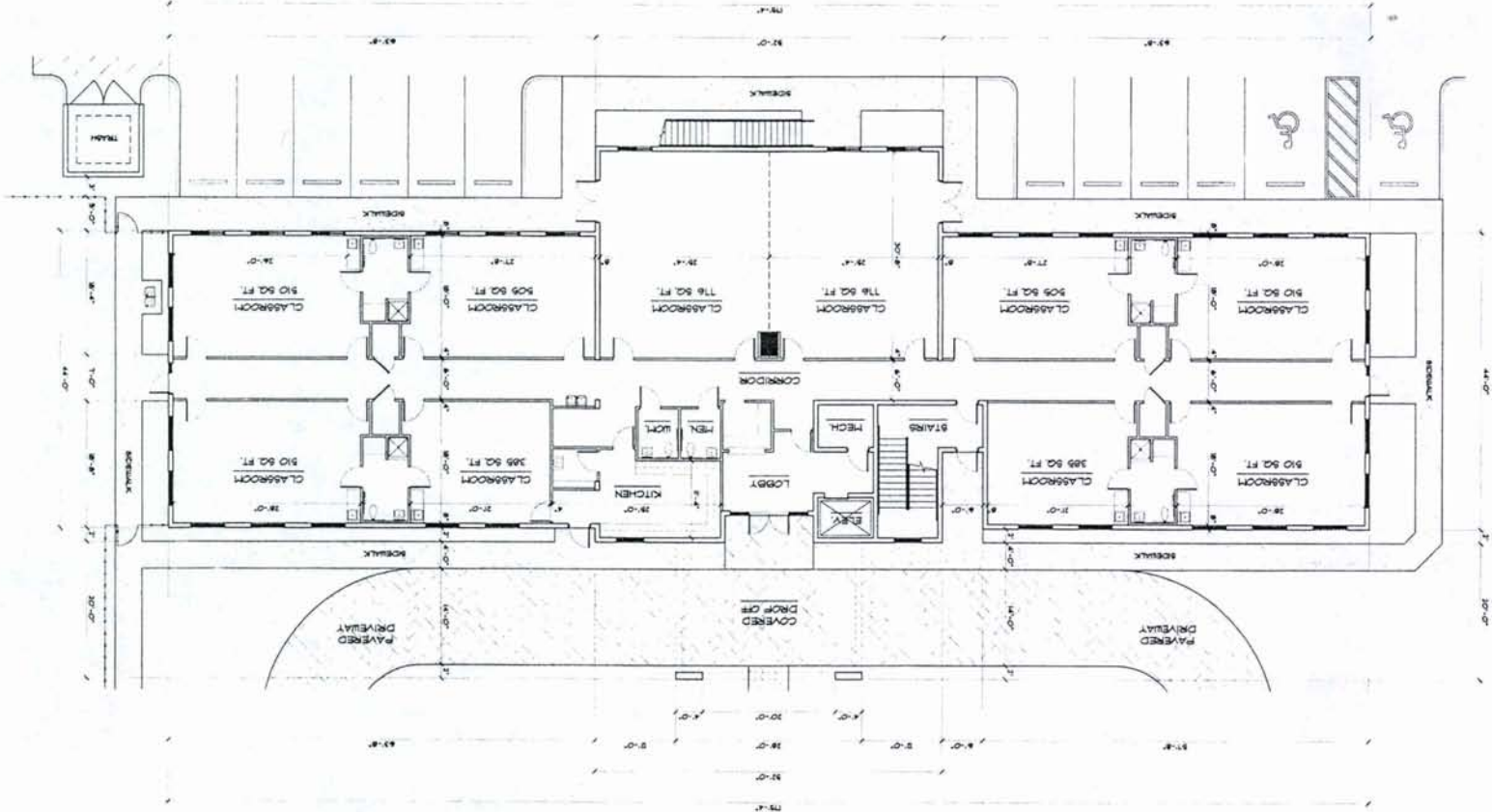


DATE: 08-06-12  
SCALE: 1/16" = 1'  
DATE SUBMITTED FOR REVIEW: [Blank]  
DRAWING NO.: L-1 of 1

ZONING HEARINGS SECTION  
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PROPOSED FIRST FLOOR PLAN ————— 1/8" = 1'-0" 9,090 SQ. FT.



DATE : 08-08-12		SCALE : 1/5
STATE SECRETARY FOR HOME		
SHAWHAN NO : A-4 of 7		



**VILLA & ASSOCIATES INC.**  
ARCHITECTURE - PLANNING - INTERIOR DESIGN  
7344 SW 45 STREET - MALE PL. 3306 - (202) 991-1701  
COMM. 7401

Corporate Licensee  
#AAB002588

Architectural Steel

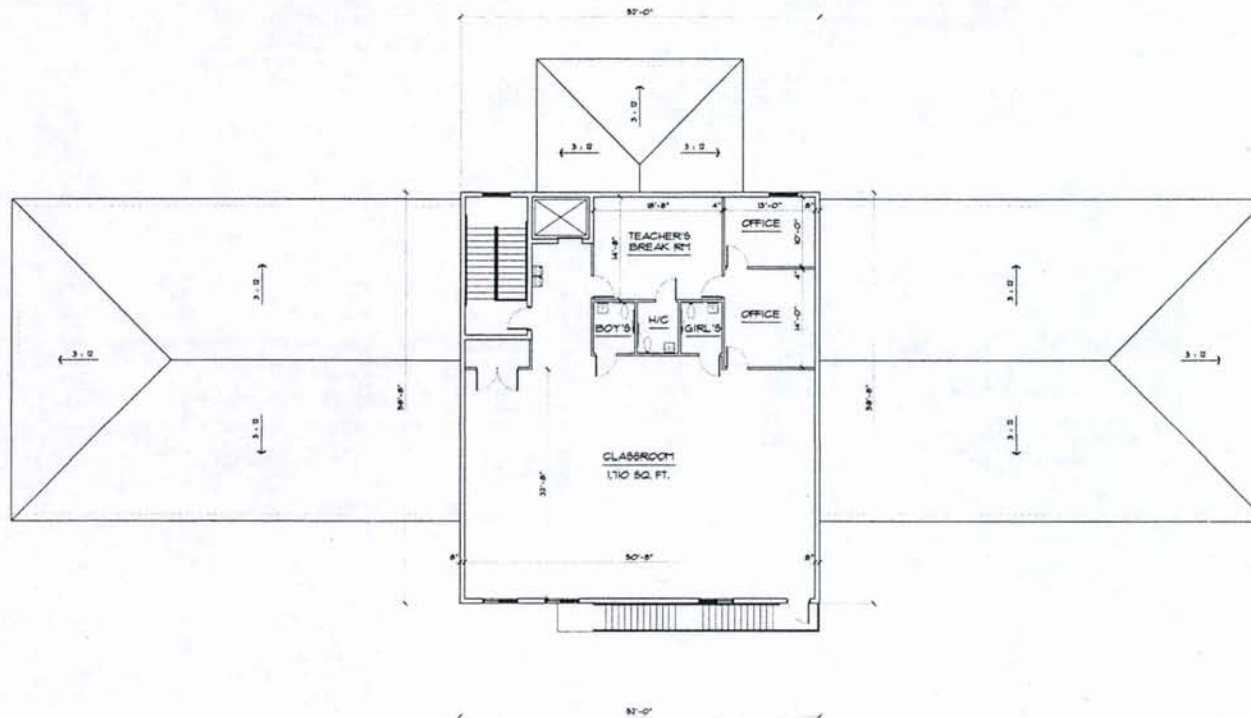
FORCE 1 WALL/VIEWING  
NO. A0003118

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4970-003-0060  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

## REFERENCES



RECEIVED  
MIAMI-DADE COUNTY  
PLANNING & ZONING  
DIVISION  
AUG 13 2012



PROPOSED SECOND FLOOR PLAN — 1/8" = 1'-0"  
3,051 SQ. FT.

**RECEIVED**  
212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY STH

RECEIVED  
AUG 13 2012

Corporation License  
#443000008  
Architectural Seal  
JAMES VALANCIKO  
NO. 0000001116

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE  
7844 SW 48 STREET - MIAMI FL 33156  
PLANNING - (305) 981-8981  
CONSULTANT 1



DATE: 08-06-12 SCALE: 1/8"  
DATE SUBMITTED FOR REVIEW:   
DRAWING NO: A-5 OF 7

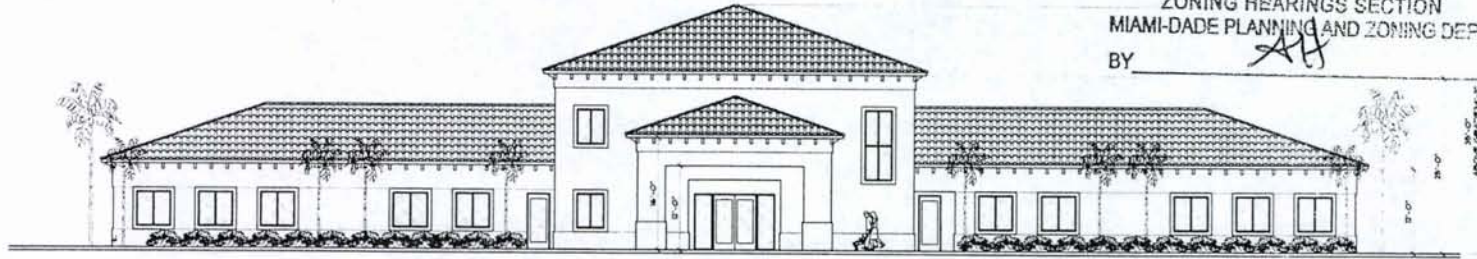
HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0000  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

37



**RECEIVED**  
20-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *AB*



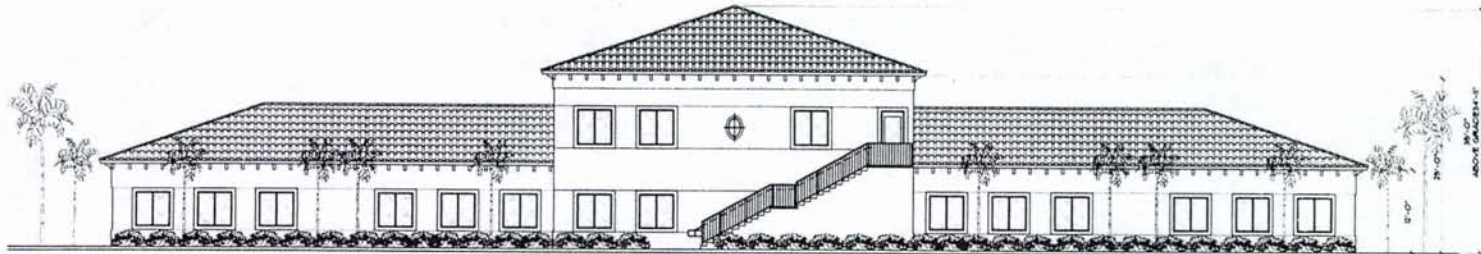
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SIDE ELEVATION (WEST) ——— 1/8" = 1'-0"



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



REAR ELEVATION (SOUTH) ——— 1/8" = 1'-0"

REVISIONS:


HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 15th STREET AND 14th AVENUE

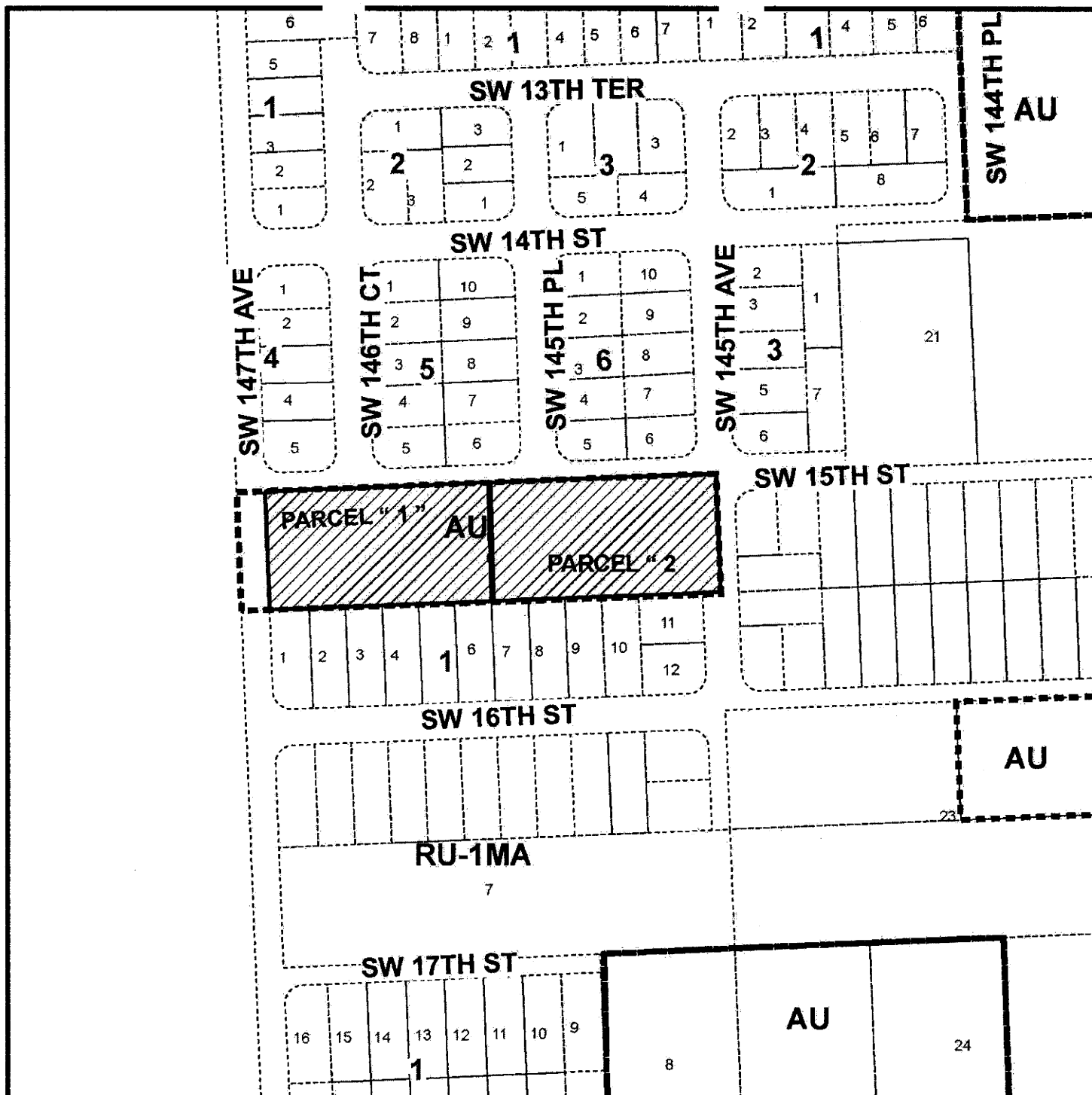
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#44000388  
Architectural Seal  
JOSUE L. VELAZQUEZ  
P.E. #00037115

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE  
PLANNING  
DESIGN  
CONSULTANT  
7544 SW 48 STREET  
MIAMI, FL 33155



DATE: 08-08-12  
SCALE: 1/8" = 1'-0"  
DATE SUBMITTED FOR REVIEW:  
DRAWING NO.: A-7 OF 7

38





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

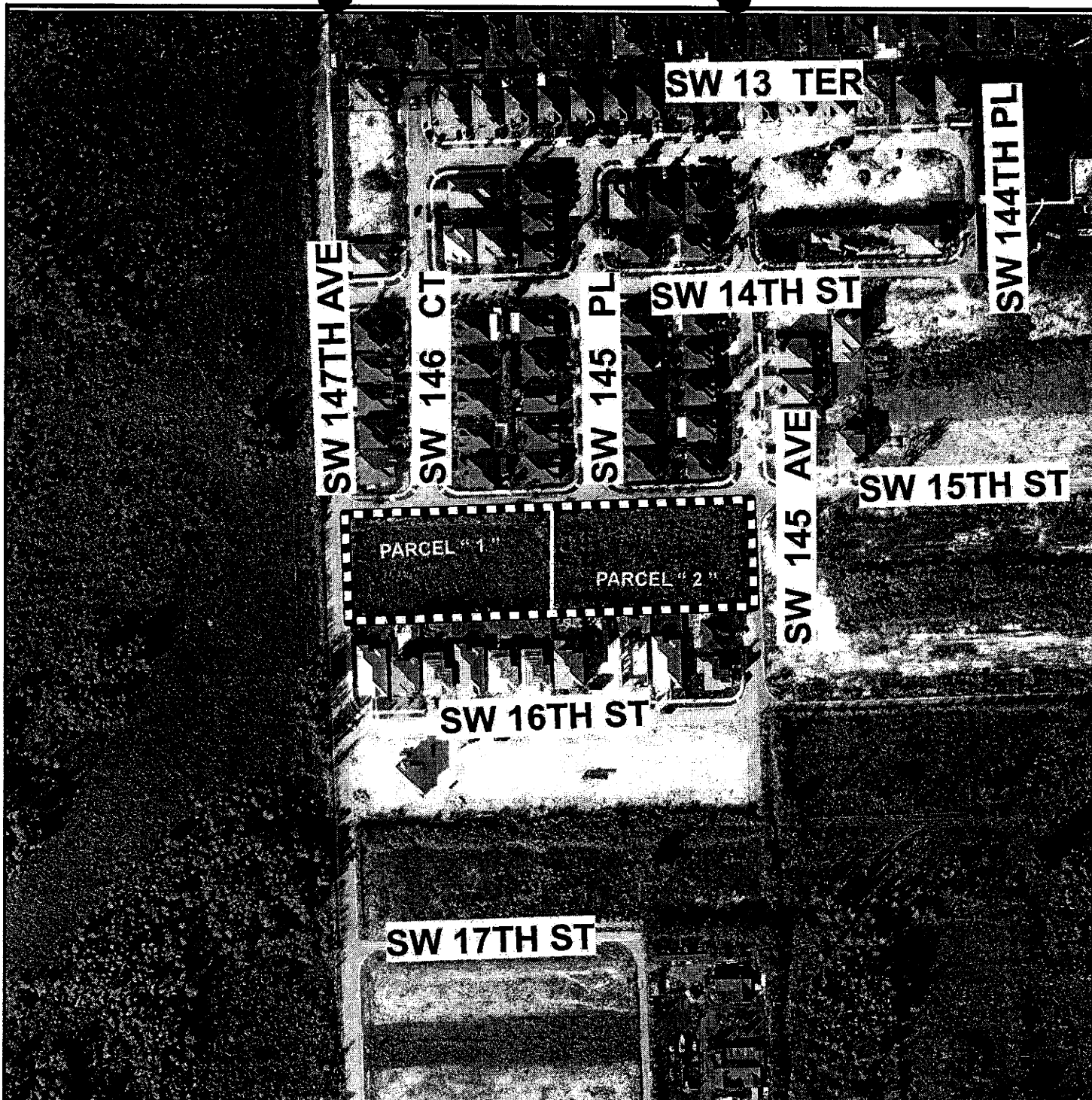
**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
	39	



**MIAMI-DADE COUNTY**

**AERIAL YEAR 2012**

**Process Number**

**Z2012000085**



Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

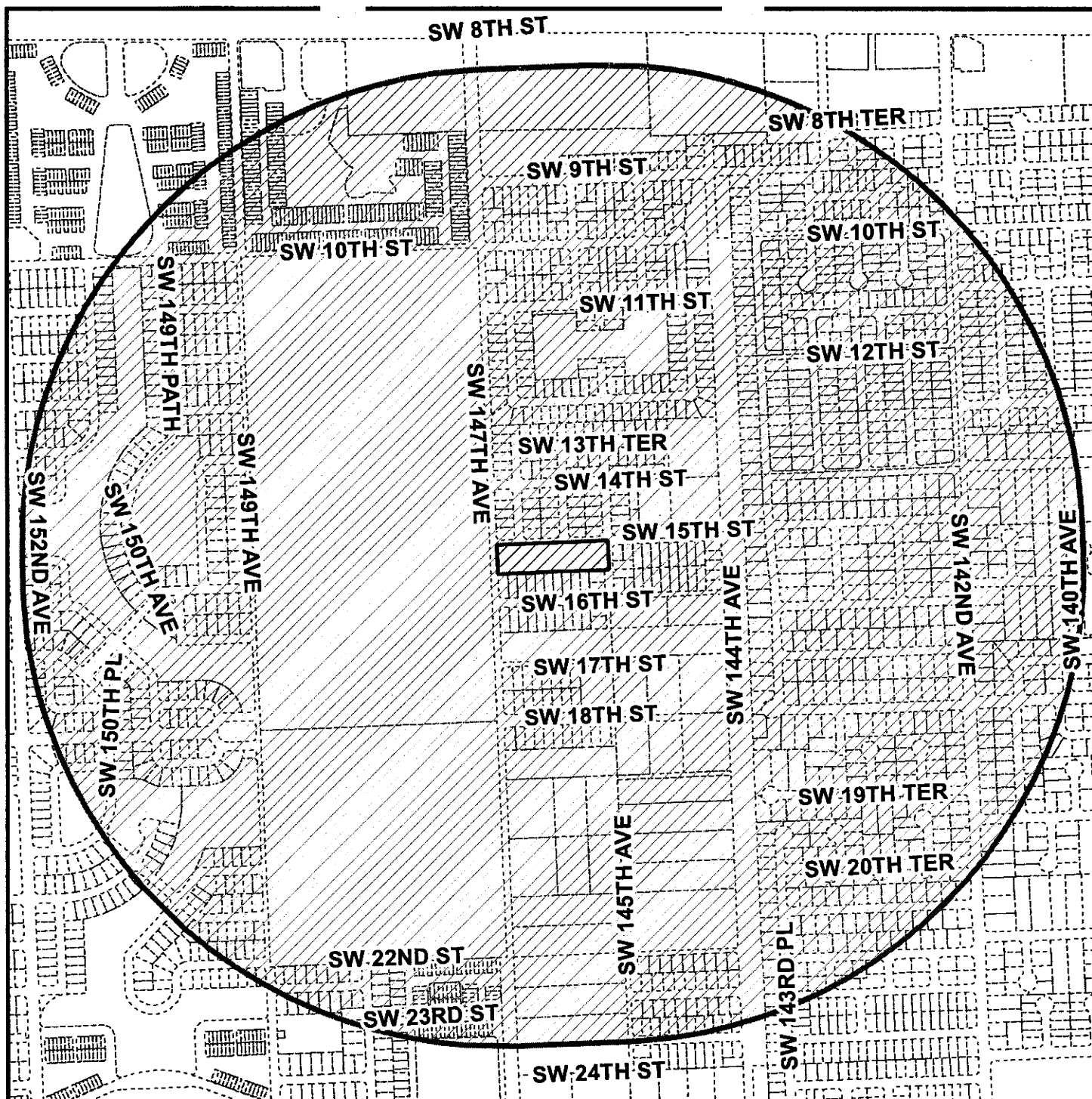
**Legend**

 Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
	40	



**MIAMI-DADE COUNTY**  
**RADIUS MAP**



Process Number

**Z2012000085**

RADIUS: 2640

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

**Legend**

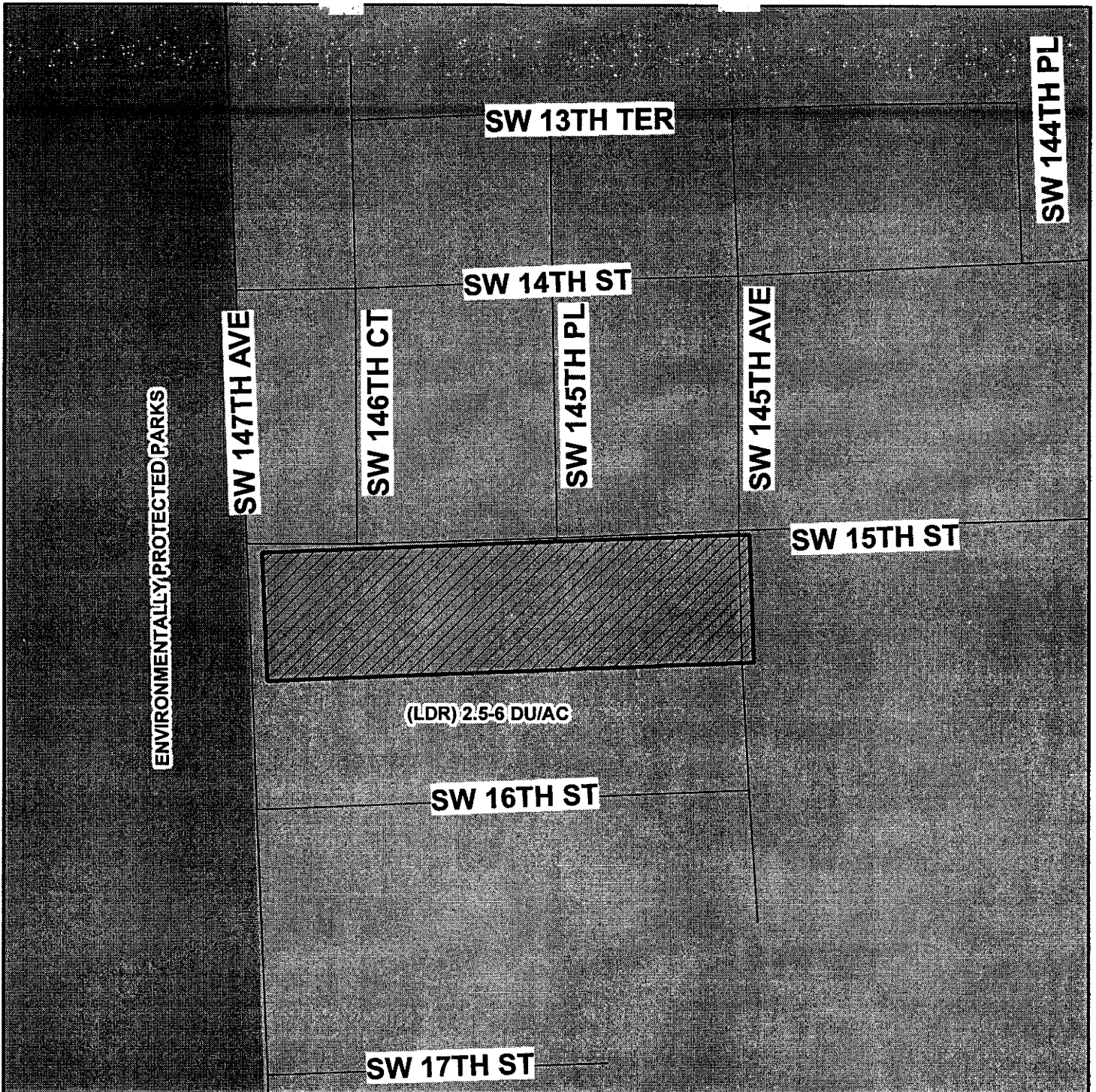
-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
	41	





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000085**



**Legend**

 Subject Property Case



Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY



PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2012000085

BOARD: C10

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 25-FEB-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

FELIX ACOSTA

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2012000085

BOARD: C10

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 25-FEB-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

FELIX ACOSTA

THIS ITEM WAS DEFERRED FROM 2/19/13 AND REVISED

HEARING NO. 12-12-CZ10-1 (12-85)

EA.  
10-54-39  
Council Area 10  
Comm. Dist. 11

APPLICANT: JULMAR 147 INVESTMENT, LLC

(1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

REQUEST #1 ON PARCELS "1" & "2"

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a daycare.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and within drives 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit an outdoor recreation area of 11,350 sq. ft. (21,600 sq. ft. required).

REQUESTS #2 THROUGH #6 ON PARCEL "1"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

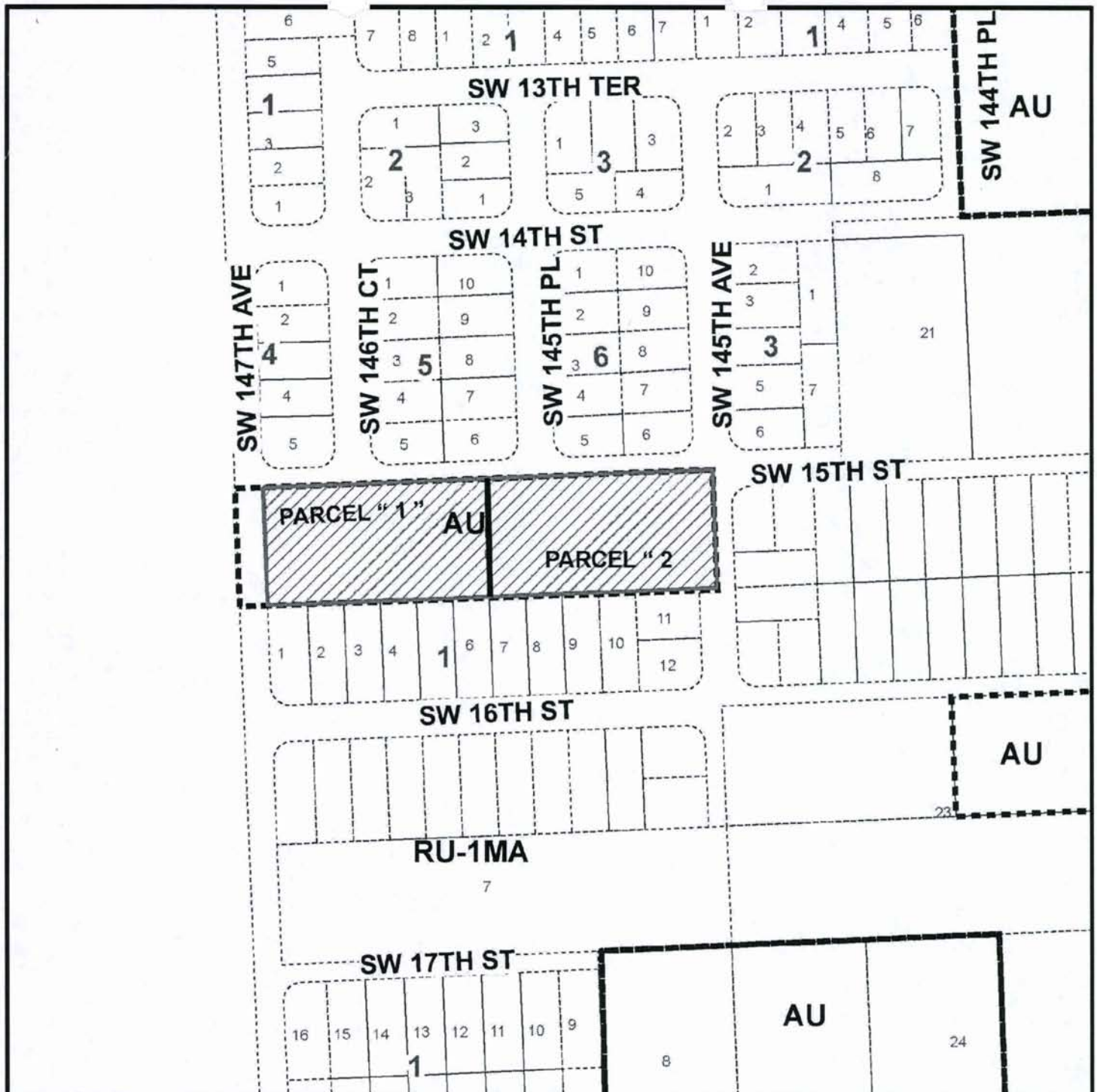
LOCATION: Lying South of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Gross Acres

AU (Agricultural)

RU1-MA (Modified Single Family 5,000 sq. ft.)






**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

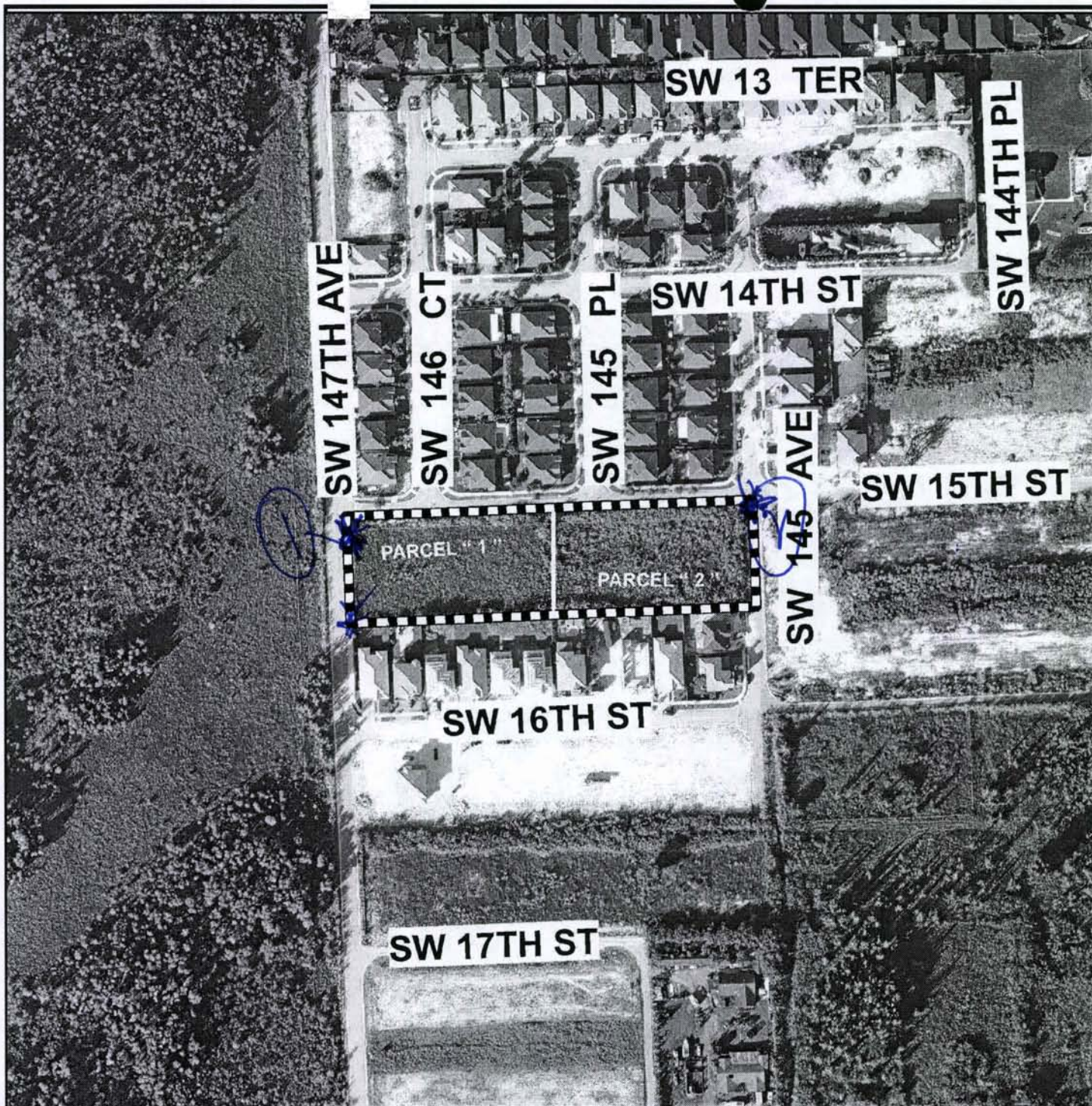
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend

 Subject Property



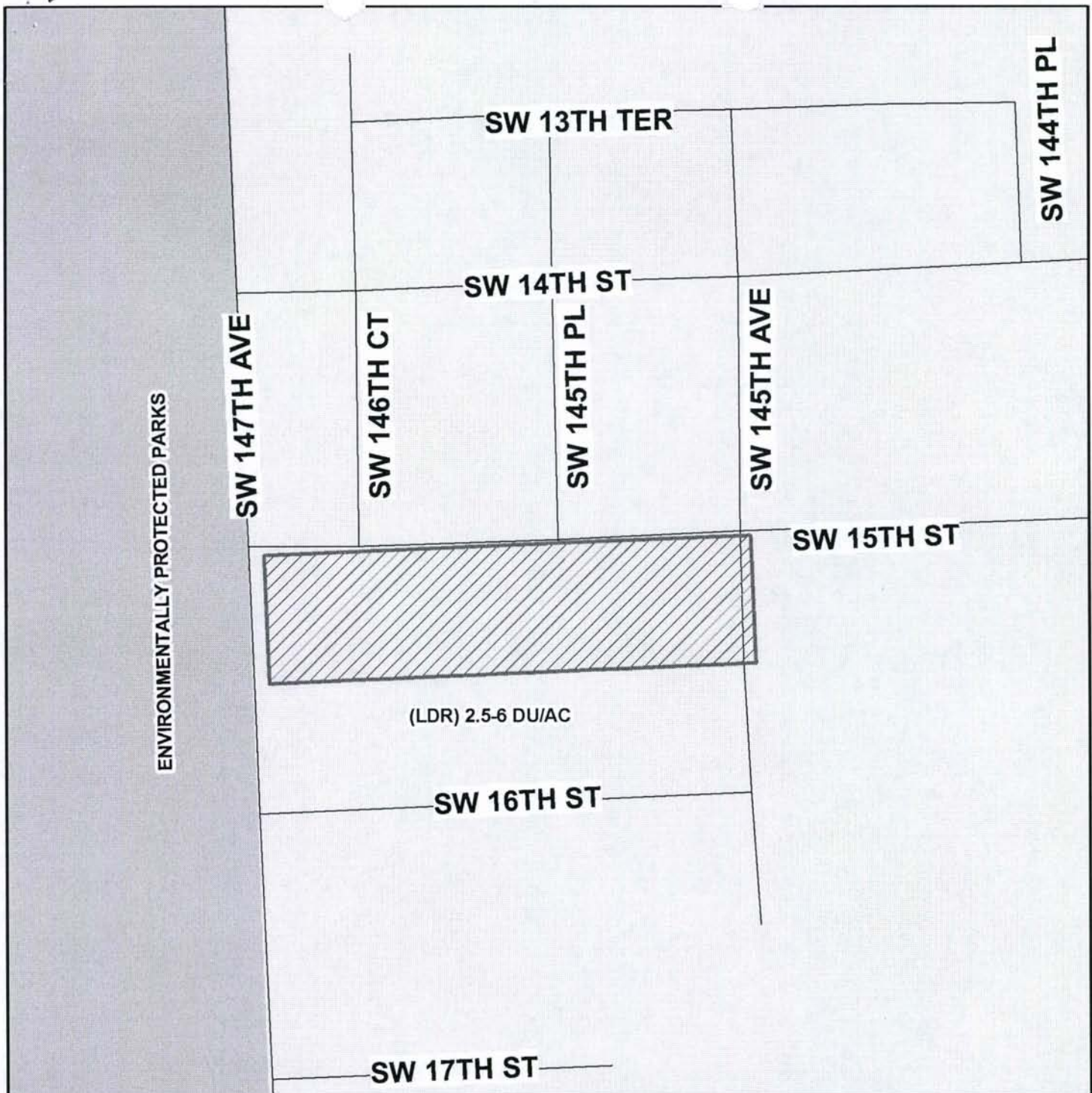
SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY









**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY

# Memorandum



244698

**Date:** September 26, 2012

**To:** Jack Osterholt, Deputy Mayor/Director  
Regulatory and Economic Resources Department

**From:** Jack Kardys, Director  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

---

This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

## Attachment

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS



# Memorandum



**Date:** September 28, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Kathleen Woods-Richardson, Director  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in black ink, reading "Kathleen Woods-Richardson", written over the printed name in the "From:" field.

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

c: Paul Mauriello, Assistant Director, Operations  
Christopher Rose, Assistant Director, Administration  
Asok Ganguli, Assistant Director, Technical Services  
Michael Moore, Assistant Director, Disposal Operations

# Memorandum



Date: November 13, 2012

To: Jack Osterholt, Director/Deputy Mayor  
Department of Regulatory and Economic Resources

From: Ysela Llori, Director  
Miami-Dade Transit

Subject: FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Robert Pearsall, MDT  
Nilia Cartaya, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER



# Memorandum

MIAMI-DADE  
COUNTY

**Date:** September 5, 2012

**To:** Jack Kardys, Director  
Park and Recreation Department

**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

---

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 10**

**PH: Z12-085 (12-12-CZ10-1)**

**February 19, 2013  
Item No. A**

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Julmar 147 Investment, LLC
<b>Summary of Requests</b>	The applicant is seeking a district boundary change from AU to RU-1M(a) to permit a private school and daycare and six (6) residential lots. A special exception to permit a private school, an unusual use to permit a daycare and non-use variances of setback and right-of-way requirements.
<b>Location</b>	Lying South of SW 15 <sup>th</sup> Street, between SW 145 <sup>th</sup> Ave and SW 147 <sup>th</sup> Ave, Miami-Dade County, Florida.
<b>Property Size</b>	2.34 acres
<b>Existing Zoning</b>	AU
<b>Existing Land Use</b>	Vacant
<b>2015-2025 CDMP Land Use Designation</b>	Low Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.</b>

This item was deferred from the December 5, 2012 meeting of the Community Zoning Appeals Board (CZAB) 10 to allow the applicant to work with the abutting neighbors and to request representation from the Department of Regulatory and Economic Resources (Division of Environmental Resources Management) and the Department of Public Works and Waste Management.

**REQUESTS:**

**REQUEST #1 ON PARCELS "1" & "2"**

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

**REQUESTS #2, #3, #4 & #5 ON PARCEL "1"**

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a day nursery.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by



Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The applicant seeks to rezone a 2.34 acre parcel of land from AU, Agricultural to RU-1M(a), Modified Single Family Residential District and develop the site with a private school and daycare center and six residential lots.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; vacant	Low Density Residential (2.5 to 6 du)
<b>North</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 du)
<b>South</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 du)
<b>East</b>	RU-1MA; vacant	Low Density Residential (2.5 to 6 du)
<b>West</b>	RU-1MA; vacant	Environmentally Protected Park

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.34 acre site, located at the southeast corner of SW 15<sup>th</sup> Street between SW 147<sup>th</sup> Ave and SW 145<sup>th</sup> Ave. The subject property is surrounded by single-family residences, vacant land and an environmentally protected park.

**SUMMARY OF IMPACT:**

The approval of this application will allow the applicant to provide the community with additional educational services and housing in the area. However, the requested variances could have a minimal impact in traffic and a minimal visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as **Low Density Residential** on the Comprehensive Development Master Plan's (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, which would result in the maximum development of 14 residential units on this 2.34 acre site. However, the requested RU-1M(a) zoning district would allow a density higher than six (6) units per acre, which would be *inconsistent* with the LUP map's density allowed without a covenant limiting the maximum number of units to no more than six (6) units per acre.

Therefore, the applicant has proffered a covenant restricting the development of the 2.34 acre parcel to a maximum of 6.0 dwelling units per gross acre, which is the maximum allowed under the density threshold of the LUP map. The applicant is proposing to develop 1.18 acres of the 2.34 acre parcel (Parcel 2) with six (6) single-family residences, which is less than the maximum of seven (7) units allowed on the 1.18 acre parcel. Therefore, the development of the site with



the proffered covenant will be **consistent** with the density threshold of the LUP map of the CDMP.

The CDMP Education Element Objective EDU-3 discusses suitable sites for the development and expansion of public educational facilities. **Policy EDU-3A** provides that "it is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools". In accordance with said policy, the subject property, which proposes a private elementary school and daycare, is located approximately 0.55 miles south of the UDB, which runs east to west along SW 8 Street in this area of the County, and 1.0 mile east of the UDB, which runs north to south along SW 157 Avenue in this area of the County and therefore **consistent** with said policy.

The adopted Interpretive Text of the CDMP Land Use Element under Residential Communities states that neighborhood and community services including **schools**, parks, houses of worship, **daycare centers**, group housing facilities, and utility facilities are permitted only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Compatibility shall be determined in accordance to Policy LU-4A. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of the Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change and proposed educational use. Therefore, staff opines that for the reasons previously discussed the proposed requests with the proffered covenant restricting the development of the site to a maximum of 6.0 dwelling units per acre, are **consistent** with the *Low Density Residential* designation and the Land Use Element interpretative text for Residential Communities and compatible with the surrounding area based on the that Land Use Element Policy LU-4A compatibility criteria.

#### **ZONING ANALYSIS:**

The site plans submitted indicate that a private school and daycare for 200 children is proposed on the west portion of the site (parcel #1) and six (6) single-family lots are proposed on the east portion of the site (parcel #2).

When request #1, to permit a district boundary change from AU to RU-1MA is analyzed under Section 33-311, District Boundary Change, staff is of the opinion that the approval of this request will not have an unfavorable impact on the economy or on the environmental and natural resources of Miami-Dade County. Staff opines that the developments proposed by this application will not unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities nor unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways based on the memoranda from the Miami-Dade County Departments concerned with reviewing this application. Therefore, staff opines that approval of request #1 is **compatible** with the neighborhood development trend and would serve a public benefit warranting the approval of the application. Furthermore, staff is of the



opinion that the proposed zone change to RU-1M(a) is **compatible** with the residential development trend as evidenced by the similar rezonings in the surrounding area. Specifically, the abutting properties to the north, east and south of the subject property were respectively rezoned from AU to RU-1M(a), from 2002 to 2006, pursuant to Resolutions #CZAB10-33-02, CZAB10-53-07, CZAB10-54-07 and CZAB10-77-05. **Staff therefore, recommends approval of request #1, subject to the board's acceptance of the proffered covenant under Section 33-311, District Boundary Change.**

When requests #2, Special Exception to permit a private school and daycare, and #3, Unusual Use to permit a daycare are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of said requests would be **compatible** with the surrounding area. In staff's opinion, approval of the requested special exception and unusual use, which would allow the applicant to develop the site with a private school and daycare would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to create a fire or other equally or greater dangerous hazards, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Environmental Resources Management Division of the Department of Regulatory and Economic Resources and the Miami-Dade Fire Rescue Department. Further, said memoranda also indicates that the approval of said requests would not have negative noise, traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

Notwithstanding the foregoing, staff notes that the subject property abuts an Environmentally Endangered Land (EEL) property to the west, which was a part of the Tree Island Governmental Facilities approval pursuant to Resolution No. R-447-12 on June 5, 2012. EEL lands are typically maintained by the use of periodic ecological prescribed burning. The Florida Legislature passed the Prescribed Fire Act in 1990 to promote the importance of prescribed fire and to provide liability protection. As stated in the Environmental Resources Management Division of the Department of Regulatory and Economic Resources memorandum, such burning is generally performed once every three years and the subject property lies within the potential smoke dispersion corridor. However, staff opines that the site plan provided indicates that the school site has been designed with sensitivity to the abutting EEL property by locating the playground/recreation area on the east portion of parcel #1 of the subject property, placing the school building in between the playground area and the EEL property. Staff recommends as a condition for approval, that the proposed private school and daycare keep the children indoors on the days that prescribed burns occur.

In addition, staff notes that although the proposed playground abuts residential properties to the east and south, it is adequately buffered by a proposed continuous hedge and row of trees. However, as a condition for approval staff recommends that the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties. In addition, the plans submitted indicate that the proposed private school and daycare will be properly accessible by public roads, streets or highways, specifically SW 15th Street and SW 147th Avenue. Furthermore, the parking lot, which exceeds the parking requirement by 15 parking spaces, is located on the south portion of the subject property with the ingress and egress access provided from SW 147th Avenue. The site plan also indicates the drop-off/pickup area along SW 15th Street. As such, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned, staff opines that the same are **compatible** with the surrounding area.



When requests #4, to permit the school setback 6' (25' required) from the side street (north) property line and #5, to permit parking and drives within 25' of an official right-of-way (not permitted) are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area. Staff opines that requests #4 and #5 are germane to the applicant's request to develop a private school and daycare (requests #2 and #3) on parcel #1. Staff also opines that the proposed porte-cochere, which encroaches into the side setback area, will protect the children being dropped off from the elements and will add curb appeal to the subject property. Furthermore, the main school building meets setback requirements and is located 26' from the side street property line. In addition, staff opines that the applicant's request to permit parking and drives within 25' of an official right-of-way will not have a negative visual impact on passersby along SW 15<sup>th</sup> Street. The submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact. Therefore, staff opines that approval with conditions of these requests will not create a negative visual impact along SW 15th Street and will not be intrusive to the surrounding area. As such, staff opines that the approval with conditions of these requests would not have a negative visual or aural impact on the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4 and #5 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along SW 147<sup>th</sup> Avenue. The plans also show a total of 34 parking spaces, which exceeds the parking requirement by 15 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.


**CONDITIONS FOR APPROVAL:** (for requests #2 through #5 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc., Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public

Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).

6. That the private school and daycare be restricted to Infant-2 grade and to a maximum of two hundred (200) children.
7. That the hours of operation shall be from 7:00 AM to 6:30 PM.
8. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
9. That the school shall assign staff to monitor and direct on-site vehicular traffic during drop-off and pick-up times to facilitate the flow of traffic and prevent potential accumulation on the public right-of-way.
10. That the waste pick-up at the school shall be performed by a private commercial entity and shall be prohibited during arrival and dismissal times.
11. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.
12. That the applicant obtain a new Certificate of Use from and promptly renew the same annually, with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
13. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
14. That the proposed private school and daycare keep the children indoors on the days that prescribed EEL property burns occur.

ES:MW:NN:CH:JC

  
Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department

NDN



# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Low Density Residential</b> (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including <b>schools</b>, parks, houses of worship, <b>daycare centers</b>, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Land Use Objective LU-4A</b> (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Education Element Objective EDU-3A</b> (Pg. X-5)	<i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that <b>new elementary schools</b> constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to <b>private schools</b>.</i>

# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311 District Boundary Change</b></p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> <li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li> <li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li> <li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li> <li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li> <li>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></li> </ol>
<p><b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b></p>	<p><i>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>



## ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

<b>Section 33-311(A)(4)(b)</b> <b>Non-Use</b> <b>Variances From</b> <b>Other Than</b> <b>Airport</b> <b>Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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A. JULMAR 147 INVESTMENT, LLC  
(Applicant)

12-12-CZ10-1 (12-085)  
Area 10/District 11  
Hearing Date: 02/19/13

Property Owner (if different from applicant) Oscar Castillo Trustee.

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? OSCAR

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
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None

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 10  
MOTION SLIP

#1

APPLICANT'S NAME: **JULMAR 147 INVESTMENT, LLC**

REPRESENTATIVE: Guillermo Olmedillo

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-12-CZ10-1 (12-085)	December 5, 2012	CZAB10		12

**REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.**

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): \_\_\_\_\_

☒ DEFER: ☐ INDEFINITELY ☒ TO: February 19, 2013 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.  
☐ WITH CONDITIONS

☒ OTHER: Deferred in order for the applicant to revise the covenant and to meet with the neighbors. The Board also has requested a staff member of the Environment Division of RER and a staff member from the Traffic Division of Public Works and Waste Management to attend the February hearing in 2013 to address some concerns that the Board has about the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Julio R. CACERES	<b>X</b>		
COUNCILMAN		Richard M. GOMEZ	<b>X</b>		
COUNCILWOMAN		Miriam PLANAS	<b>X</b>		
COUNCILMAN	<b>S</b>	Gerardo RODRIGUEZ	<b>X</b>		
COUNCILMAN		Manuel VALDES	<b>X</b>		
COUNCILMAN		Toufic ZAKHARIA			<b>X</b>
CHAIRMAN		Jose GARRIDO (C.A.)	<b>X</b>		
VOTE:			<b>6</b>	<b>0</b>	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: **LAUREN MORSE**  
**DAVID HOPE**

# Memorandum



**Date:** October 23, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources

**Subject:** C-10 #Z2012000085-3<sup>rd</sup> Revision  
Oscar Castilla  
SE corner of the intersection of SW 147<sup>th</sup> Avenue and 15<sup>th</sup> Street  
District Boundary (Zone) Changes to RU-MA. Special Exception to  
Permit a K-2 School  
(AU) (2.34 Acres)  
10-54-39

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the "From:" line.

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

## Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

## Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity



in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

The proposed development is located within Bird Drive Basin, where a portion of the site must be set aside for stormwater management as required by the Code, to comply with the official Miami-Dade County report for that Basin. If said property has been continuously four and one-half (4.5) acres or less in size since September 30, 1997, the applicant may opt to pay a financial contribution into the Stormwater Compensation Trust Fund in lieu of providing set aside area for surface Water Management.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

This Program has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be changed to indicate the preservation of the tree island and a suitable amount of buffer to the development.



Please contact the Wetland Resources Program at (305)372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Natural Forest Communities

The subject property lies east to an Environmentally Endangered Land property (EEL) (Tree Island Park). EEL properties are subject to the Natural Forest Communities regulations in Section 24-49 of the Code and EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. Due to the quality of these habitats, the County recommends maintaining these globally imperiled Natural Forest Communities areas as a natural preserve. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

#### Tree Preservation

The subject property contains tree resources and contains wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

#### Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMF for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

## PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: OSCAR CASTILLA, TRUSTEE

This Department has no objections to this application.

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Site Plans S1, dated 08/06/2012 and received by Zoning on 08/23/2012; the Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively; and the Traffic Operations Plan, dated 08/21/2012, for the proposed facility located at the intersection of at SW 147 Avenue and SW 15 Street, and has the following comments:

### Site Plan Review:

The Site Plans named S1, dated 08/06/2012 and received by Zoning on 08/23/2012, are acceptable and must supersede all other hearing site plans.

### Traffic Study Review:

Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively, must be included within the permanent zoning hearing documents.

### Traffic Operations Plan (TOP) Review:

The Traffic Operations Plan, dated 08/21/2012, is acceptable. The Traffic Operations Plan scanned as part of the zoning hearing documents must be rescanned to contain page 2 of 3.

### Project Requirements:

All off-site improvements shall be constructed prior to the school opening.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 147 Avenue and SW 15 Street adjacent to the site. A school speed zone and flashing signals may be waived at this time with the



provision that a school policy explicitly stating that all students must be accompanied by an adult to and from school at all times is provided within a covenant for this facility and published as school policy; and the school administration agrees to timely purchase and install such traffic control devices, if the Miami-Dade County Public Works and Waste Management Department determines the future need for said devices.

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school opening or expansion. The "Declaration of Restrictions" shall include a Traffic Operations Plan narrative and plan that has been found acceptable by TED.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Please contact Ricardo Gavilan at 305-375-2030, if you have any questions concerning this recommendation.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 132 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

12-SEP-12



## PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-085  
Updated Oscar Castilla, Trustee

**Application:** *Oscar Castilla, Trustee* is still requesting a District Boundary Change from Agricultural (AU) to modified Single-family Residential (RU1-MA), and a special exception for a school serving grades K to 2. Currently, the applicant is also requesting a variance for a setback on the property.

**Size:** The subject property is approximately 2.35 acres.

**Location:** The subject property is approximately south of SW 15<sup>th</sup> Street, between SW 145<sup>th</sup> Avenue and SW 147<sup>th</sup> Avenue in Miami-Dade County, Florida.

### Analysis:

#### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

#### 2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated July 10, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The placement of a school on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

#### 3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

#### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**



**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: Vacant land on SW 147th Avenue & 15th Street Tax Folio # 30-4910-003-0050

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
  2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
  3. Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pk-2nd Grade)
  4. Number of teachers: 16 Number of administrative & clerical personnel: 4.
  5. Number of classrooms: 11 Total square footage of classroom area: 7,082 sq. ft.
  6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
5,059 sq. ft. - Includes Stairs and Elevator
  7. Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 34 spaces parking spaces required by §33-124(L) = 20 spaces
  10. Indicate the number of auto stacking spaces: 5 provided 5 required.
  11. Proposed height for the structure(s): 35'-0" See §33-151.18(g).
  12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(c).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  13. Days and hours of operation: Infants - Pk - 2nd Grd School shall operate M to F 7 am to 6:30 pm.
  14. Does the subject facility share the site with other facilities? ☐ Yes ☒ No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
  15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). No Residential Uses

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212-08  
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY    AH

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 160 (number of children) = 5,600 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,800 sq. ft.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,082 sq. ft.

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 80 (1/2 of children) = 3,600 sq. ft.

- b. Grades 1-6 500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.

300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0 sq. ft.

300 sq. ft. x 0 (next 300 children) = 0 sq. ft.

150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48

- b. Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500.

- c. Grass area for organized sports/play area in square feet: 11,350 sq. ft. total recreation area

- d. Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AV

School Address: Vacant land on SW 147th Avenue & 15th Street - Miami, Florida Zip Code: 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15th day of June 2012  
at Miami-Dade County, Florida.

Jorge L. Villavicencio, R.A.

Signature

WITNESSES:

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally  
appeared \_\_\_\_\_, to me known to be the person described in  
and who executed the foregoing instrument and he/she acknowledged to me the execution  
thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

XH





# Memorandum

**Date:** 13-SEP-12

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department

**Subject:** Z2012000085

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to site plan date stamped received August 21, 2012. Any changes to the vehicular circulation must be resubmitted for review and approval. This plan has been reviewed to assure compliance with the MDRR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRR requirements.

## Service Impact/Demand

Development for the above Z2012000085

located at LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1430 is proposed as the following:

residential	dwelling units	industrial	square feet
	square feet	institutional	square feet
Office	square feet	12,140	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 8.14 alarms-annually.  
The estimated average travel time is: 6:20 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street  
ALS Engine.

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 21, 2012. Substantial changes to the plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.



# Memorandum



**Date:** January 28, 2013

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2012000085: JULMAR 147 INVESTMENT, LLC

---

**Application Name:** JULMAR 147 INVESTMENT, LLC

**Project Location:** The site is located south of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from AU TO RU-1MA and a special exception to permit a school (K-2).

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

DATE: 29-AUG-12  
REVISION 1

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

OSCAR CASTILLA, TRUSTEE

LYING SOUTH OF SW 15 STREET,  
BETWEEN SW 145 AVENUE & SW  
147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2012000085

---

HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: Case was opened on August 9, 2012 for junk/trash overgrowth and warning issued August 21, 2012 to be corrected by September 5, 2012. Prior case opened July 7, 2011 for failure to perform lot maintenance and citation issued. Affidavit compliance July 29, 2011. CVN electronically closed August 6, 2011 and case closed September 20, 2011. BNC: No bss cases open/closed.

Oscar Castilla Trustee

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**

### DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Julmar 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>12911 SW 42nd St #205 Miami, FL 33175</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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212-095  
SEP 19 2012  
BY AB

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest


Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

212-011  
SEP 19 2012  
ZONING PLATINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *AB*

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: (X) [Signature]  
(Applicant)

Sworn to and subscribed before me this 10<sup>th</sup> day of Sept, 2012. Affiant is personally know to me or has produced C234-340-103-445-0 as identification.

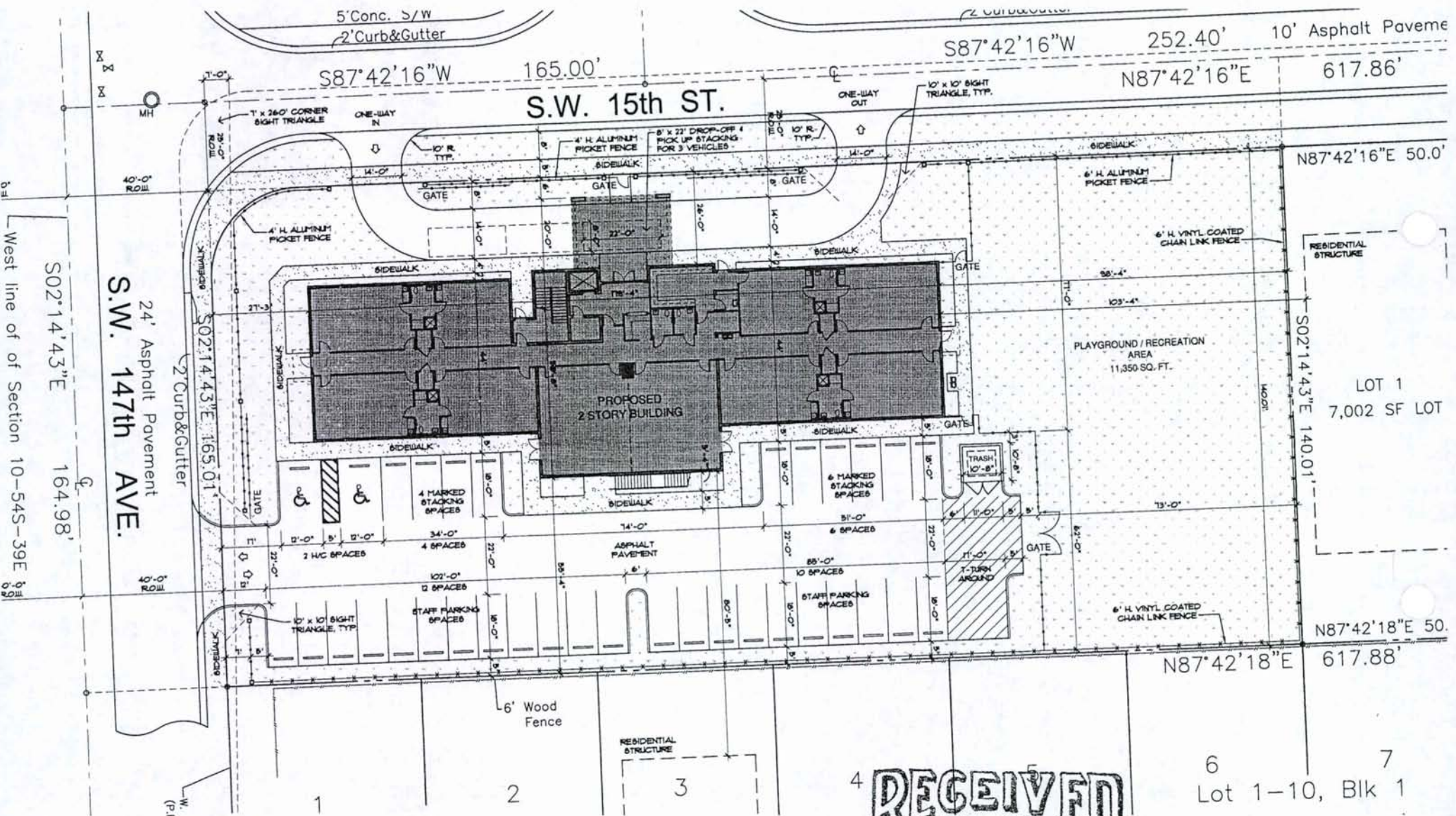
Ms. Green  
(Notary Public)

My commission expires: 6/28/2015

Seal

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.





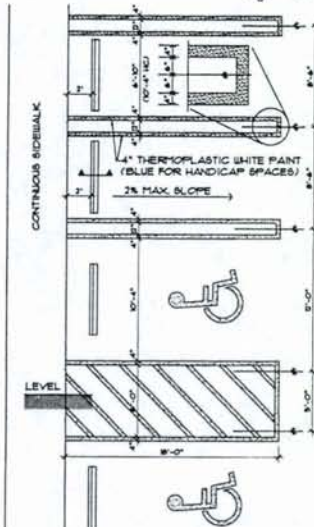
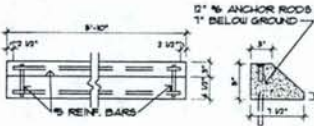
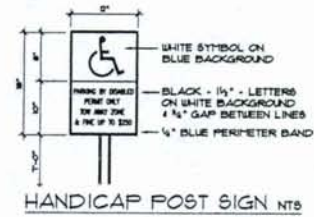
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ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY STH

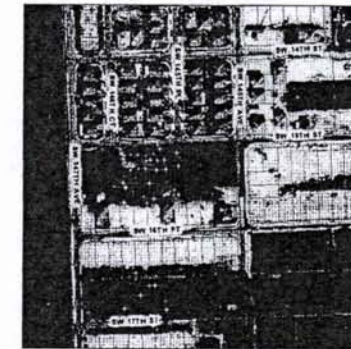
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PLANNING & ZONING  
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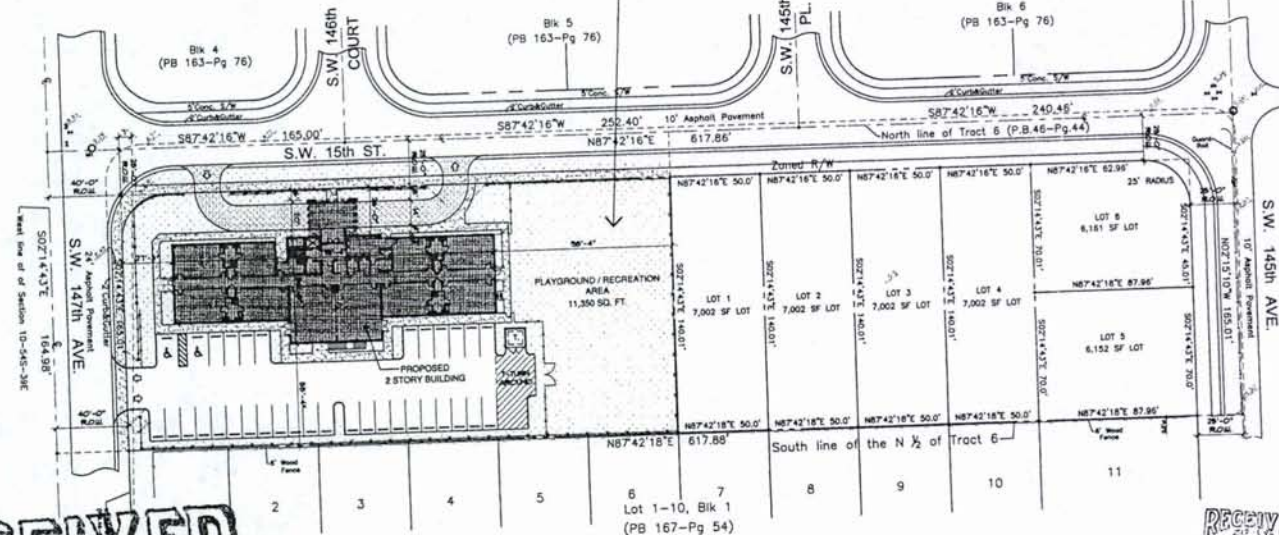
SITE SUMMARY	
LOCATION — SW 15th STREET AND 147th AVENUE MIAMI, FLORIDA 33154	SETBACKS:
FOLD NO. — 30-4910-003-0050 (TOTAL PROPERTY)	FRONT — NORTH (TO DROP OFF) — 6'-0"
ZONING — AU — applying for — RU-1-MA	FRONT — NORTH (TO BUILDING WALL) — 26'-0"
ZONING RESOLUTIONS — N/A	SIDE STREET — WEST — 27'-3"
	SIDE — EAST — 84'-4"
	REAR — SOUTH — 55'-4"
	SIDE — EAST (TO RESIDENTIAL STRUCTURE) — 103'-4"
	REAR — SOUTH (TO RESIDENTIAL STRUCTURE) — 80'-5"
	SIDE STREET — WEST (TO RESIDENTIAL STRUCTURE) — 132'-3"
TOTAL EXISTING LOT AREA: GROSS: 106,563 S.F. (2.49 ACRES)	
TOTAL NET: N/A — NOT YET SUBDIVIDED	
PROPOSED LOT AREA:	
PARCEL '1' LOT AREA: GROSS: 56,915 S.F. (1.31 ACRES)	
TOTAL NET: 42,896 S.F. (0.98 ACRES)	
PARCEL '2' LOT AREA: GROSS: 51,648 S.F. (1.18 ACRES)	
TOTAL NET: 40,321 S.F. (0.93 ACRES)	
PARCEL '2' TO BE SUBDIVIDED INTO 6 RU-1MA RESIDENTIAL LOTS	
PROPOSED BUILDINGS:	
1) TWO STORY HIGHER LEARNING EDUCATIONAL CENTER	
COVERED DROP OFF: 557 SQ. FT.	
FIRST FLOOR AREA: 8,533 SQ. FT.	
SECOND FLOOR AREA: 3,051 SQ. FT.	
PROPOSED SCHOOL BUILDING AREA = 12,141 SQ. FT.	
TOTAL PROPOSED BUILDING LOT COVERAGE = 9,090 SQ. FT. 21.3 %	
TOTAL PROPOSED BUILDING AREA = 12,141 SQ. FT.	
	SUMMARY OF OVERALL LOT COVERAGE:
	TOTAL PROPOSED BUILDING LOT COVERAGE — 9,090 SQ. FT. 21.3 %
	ASPHALT PAVED, SIDEWALKS AND PAVED AREAS — 14,708 SQ. FT. 34.4 %
	LANDSCAPE OPEN SPACE — 18,896 SQ. FT. 44.3 %
	TOTAL AREA = 42,896 SQ. FT. 100.0 %
	OUTDOOR RECREATION AREA — 11,350 SQ. FT. 26.6 %
	PARKING REQUIRED: AS PER 33-124 MDC ZONING CODE
	— SCHOOL (INFANTS — PK TO 2ND GRADE) — 20 SPACES
	AS PER 33-124(3) 1 & 2
	— INFANTS — PK TO 2ND GRADE: 1 SPACE PER STAFF + 20 = 20 SPACES
	TOTAL PARKING REQUIRED — 20 SPACES
	PARKING PROVIDED:
	— STANDARD — 8.5' X 18' — 32 SPACES
	— HANDICAP — 12.0' X 18' — 2 SPACES
	TOTAL PARKING PROVIDED — 34 SPACES



LOCATION — N.T.S.

LEGAL DESCRIPTIONS:  
PARCEL 1  
THE WEST 305 FEET OF THE NORTH 1/2 OF TRACT 6, LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 14 SOUTH, RANGE 30 EAST OF U.S. HEADS FARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.  
PARCEL 2  
THE NORTH 1/2 OF TRACT 6, LESS THE WEST 305 FEET AND LESS THE NORTH 25 FEET THEREOF, LYING IN SECTION 10, TOWNSHIP 14 SOUTH, RANGE 30 EAST OF U.S. HEADS FARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48 AT PAGE 44, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

VACANT LOT  
THE NORTH 1/2 OF TRACT 6  
(PB 46-Pg 44)



PROPOSED SITE PLAN

REFER TO SHEET A-3 FOR COMPLETE  
SITE PLAN DIMENSIONS

REFER TO SHEET A-2 FOR  
CHILDCARE CHECKLIST

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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

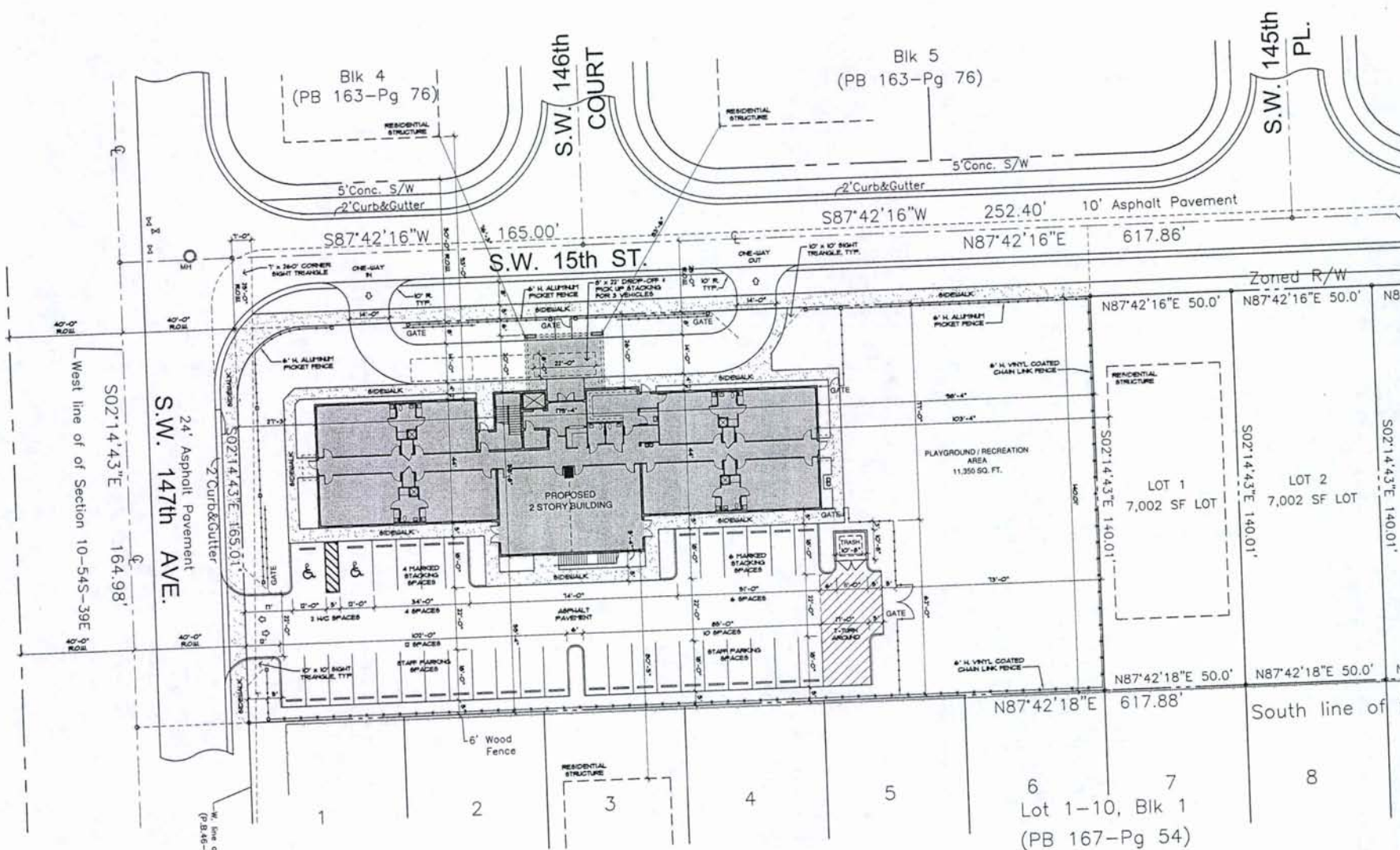
REVISIONS

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLD # 30-4910-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

CONSULTANT: VILLA & ASSOCIATES, INC.  
ARCHITECTURE  
7744 SW 48 STREET  
MIAMI, FL 33156  
(305) 897-9991

DATE: 08-09-12  
SCALE: 1" = 30'  
DATE SUBMITTED FOR REVIEW: 08-09-12  
DRAWING NO.: A-1 OF 7





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 212-085  
 AUG 21 2012

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY AT

PROPOSED SITE PLAN — 1/16" = 1'

HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS FOLIO # 30-4910-003-0050 VACANT LAND ON SW 15th STREET AND 147th AVENUE	
Commission License #440000000000 Professional Seal JAMES L. VILLAVIEJA INC. 00001110	<b>VILLA &amp; ASSOCIATES INC.</b> ARCHITECTURE PLANNING 7544 SW 48 STREET MIAMI, FL 33156 (305) 581-8101 CONSULTANT
DATE: 08-08-12 SCALE: 1/16" = 1' DATE SUBMITTED FOR REVIEW:	DRAWING NO.: A-3 OF 7

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AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

CHILD CARE CHECKLIST REQUIREMENTS  
FOR ZONING HEARING

- Day nurseries, day care centers and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3M, RU-3S, RU-4L, RU-4M, RU-4S, RU-5, RU-5A, OPO, BU (Business) or IU (Industrial) and meet all requirements including setbacks for buildings of public assembly where occupancy is for 25 or more, or other applicable setbacks. Must also comply with all other code requirements including, but not limited to, handicap accessibility and plumbing fixture count.
  - Private schools are permitted on properties zoned RU-3, RU-3M, RU-3S, RU-4L, RU-4M, RU-4S, RU-5, RU-5A, AU and BU (Business) subject to compliance with the aforementioned requirements.
  - Must comply with all requirements of Article XX, §§33-151.11 through 33-151.22 Zoning Code of Miami-Dade County.
  - Submit one full set of folded plans and 1 C.O. (PDF Format) containing an identical set of plans for zoning hearing review, including:
    - Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and automobile parking.
    - Floor plans identifying classroom area(s) - dimensioned (note: an architect or engineer must seal the plans for 50 or more children).
    - Completed Child Care Checklist (attached).
    - Landscape plans, Landscape Legend and Certification of Compliance with Chapter 15A (Landscape Code).
  - Day care centers may require a traffic analysis. Contact Harvey Bernstein at the Public Works Department at 305-375-1574 for more information.
- The Department of Planning and Zoning will review this application and accompanying plans. Early contact with the sections involved would be beneficial to the applicant. Contact the Zoning Information Section at (305) 375-1806, the Zoning Processing Section at (786) 315-2600 and the Planning Division at (305) 375-2800. Apply for a building permit at 11800 S.W. 25 Street, between the hours of 7:30 a.m. and 10:00 a.m. Tuesday through Friday. If you have any questions regarding the process for applying for a building permit, please contact the Permit Section at (786) 315-2100.

Department of Planning and Zoning  
Zoning Hearings Section  
111 N.W. 1 Street, 11<sup>th</sup> Floor  
Miami, Florida 33138  
(305) 375-2640

Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: 3300 SW 147th Avenue & 15th Street Tax File # 20-4815-003-0000

- Is this an expansion to an existing school? Yes ☐ No ☒ If yes, indicated the number of students                      and age and grade range                     .
  - Total size of site                      = 47,696 sq. ft. / 43,560 sq. ft. = 0.99 acres
  - Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pre 2nd Grade)
  - Number of teachers: 15 Number of administrative & clerical personnel: 4
  - Number of classrooms: 11 Total square footage of classroom area: 7,062 sq. ft.
  - Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 5,059 sq. ft. - Includes Stairs and Elevator
  - Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.
- NOTE: Location requirement for outdoor recreation/play area must conform to §33-151.18(d)
- Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  - Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 25,800/25 parking spaces required by §33-124(i) = 20,800/25
  - Indicate the number of auto stacking spaces: 5 provided 5 required
  - Proposed height for the structure(s): 35'-0" See §33-151.18(g).
  - Size of identification sign: 6' x 6' x 6' x 6' See §33-151.18(h).
  - Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  - Days and hours of operation: Infants - Pre 2nd Grade School shall operate M-F, 7 am to 6:30 pm
  - Does the subject facility share the site with other facilities? Yes ☒ No ☐ If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16.
  - If the school will include residential uses, do such uses meet the standards provided in §33-151.177 (1) Yes ☐ No ☒ If yes, describe the residential uses and indicate same on the plans. No Residential Uses

DEFINITIONS

Day Nursery	Childcare for infants and children up to the age of five (5).
Kindergarten	Childcare and preschool programs for children ages four (4) through six (6).
After-School Care	Childcare and recreation for children above the age of five (5) when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacation.
Babysitting Service for Shoppers	Childcare for limited time periods (maximum three (3) hours) provided within a shopping center solely for the convenience of the patrons, and limited to not more than forty (40) children at any one time.
College or University	An institution of higher learning beyond the high school level.
Family Day Care	Childcare and recreation with a maximum of five (5) children including the day care operator's own children.
Private School	This term as used herein refers to any private institution providing childcare and/or instruction at any level from infants through the college level.
Elementary, Junior, and/or Senior High	Reference to these schools are to be broadly interpreted to encompass any school, graded or ungraded, whose students are within the age ranges typically found at these school levels.
Child, Student, Pupil	The terms "child," "student," or "pupil" and their plurals are used interchangeably.

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- Day Nursery/Kindergarten, preschool and after-school care  
35 sq. ft. x 180 (number of children) = 6,300 sq. ft. of classroom area required.
  - Elementary Grades 1-6  
30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.
  - Junior High and Senior High Schools (Grades 7-12)  
25 sq. ft. x 5 (number of children) = 0 sq. ft. of classroom area required.
- TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,300 sq. ft.  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,062 sq. ft.

OUTDOOR RECREATION SPACE:

- Day Nursery/Kindergarten, preschool and after-school care  
45 sq. ft. x 80 (1 of children) = 3,600 sq. ft.
  - Grades 1-6  
500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.  
300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.
  - Grades 7-12  
800 sq. ft. x 5 (first 5 children) = 4,000 sq. ft.  
300 sq. ft. x 5 (next 300 children) = 0 sq. ft.  
150 sq. ft. x (remaining children) = 0 sq. ft.
- TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.
- TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.
- 25 trees are required per acre. Trees required: 46.8 Trees provided: 48
  - Ten shrubs are required for each tree required. Shrubs required: 468 Shrubs provided: 500
  - Grass area for organized sports/play area in square feet: 11,350 sq. ft. 5,000/recreation area
  - Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

CHILD CARE CHECKLIST

RECEIVED  
212-085  
AUG 13 2012  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0060  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

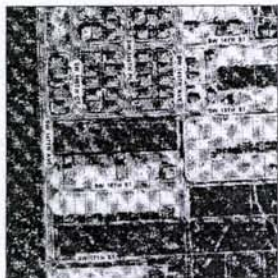
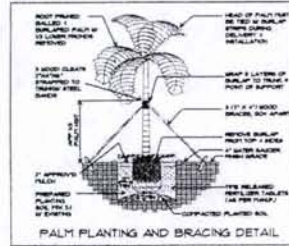
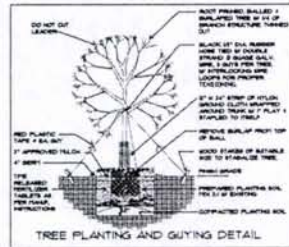
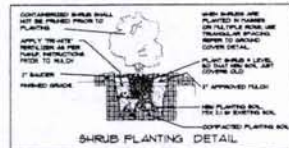
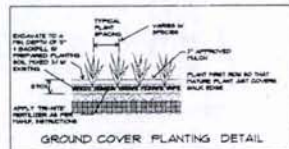
VILLA & ASSOCIATES INC.  
3794 SW 48th Street  
Miami, FL 33155  
(305) 851-9881



DATE: 08-08-12 SCALE: 1" = 1'  
DATE SUBMITTED FOR REVIEW: [Blank]  
DRAWING NO: A-2 OF 7

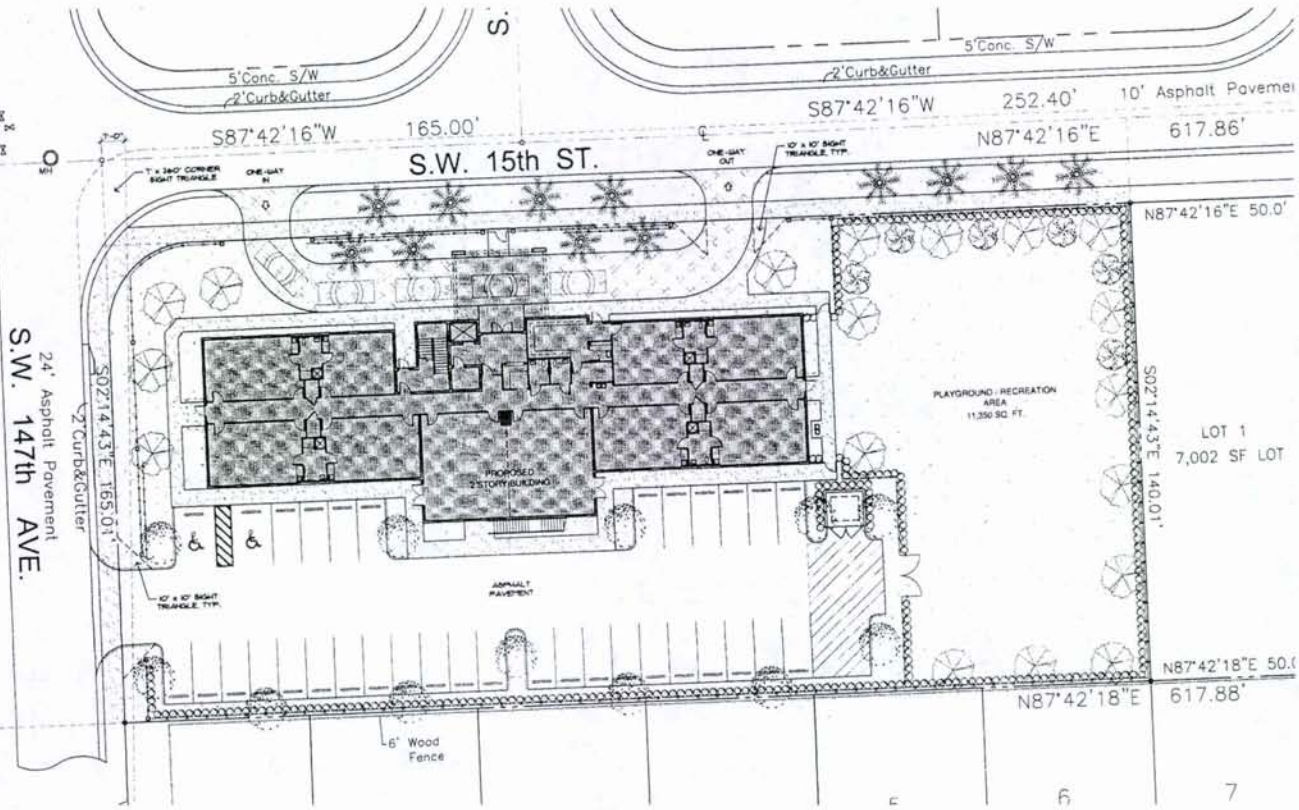


RECEIVED  
MIAMI-DADE COUNTY  
PLANNING & ZONING DEPT.  
DATE: AUG 21 2012  
BY: JKH



LOCATION — N.T.S.

West line of Section 10-54S-39E  
S02°14'43"E 164.98'



NOTE:  
TREES PLANTED 7' FROM THE RIGHT OF WAY CAN  
BE COUNTED TOWARD THE STREET TREE REQUIREMENT.

LANDSCAPE SCHEDULE						
KEY	COMMON NAME	BOTANICAL NAME	HEIGHT AT PLANTING	NATURAL HEIGHT RANGE	NATIVE	QUANTITY
A	LIVE OAK	QUERCUS VIRGINIANA	14' (2.5" CALIPER) AT PLANTING	40' TO 50'	YES	18
B	PRODEA PALM	COCCOBLA DIVERSIFOLIA	12' (2" CALIPER) AT PLANTING	20' TO 25'	YES	6
C	SILVER BUTTWOOD	CONOCARPUS ERECTUS	12' (2" CALIPER) AT PLANTING	10' TO 15'	YES	12
D	ROYAL PALM	ROYSTONIA ELATA	15' AT PLANTING	40' TO 80'	YES	12
E	RED-TIP COCOPLUM	CHRYSOBALANUS ICAGO VAR. PELLICARPUS	36" H. & 24" O/C AT PLANTING	6'	YES	300

\* Landscape contractor shall provide irrigation system for all landscape areas.  
Provide Shop Drawing Plans for approval.  
\* PERIMETER HEDGE SHALL BE KEPT AT A MAXIMUM 6" IN HEIGHT ONCE MATURE

LANDSCAPE LEGEND

Zoning District: RD-1-MB, Net Lot Area: 0.96 acres, 42,696 s.f.	
OPEN SPACE	
A. Square feet of open space required by Chapter 33, as indicated on site plan:	REQUIRE
Net lot area = 42,696 square feet = 25.0 ± = 11,674 s.f.	11,674 s.f.
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan:	PROVIDE
Number of parking spaces = 36, = 10 square feet per parking space = 360 s.f.	360 s.f.
C. Total square feet of landscaped open space required by Chapter 33 = A + B = 11,674 s.f.	11,674 s.f.
LAWN AREA CALCULATION	
A. Total square feet of landscaped open space required by Chapter 33 = 11,674 square feet	11,674 s.f.
B. Maximum lawn area (1% Augustine sod) permitted = 36.3 ± = 11,621 square feet = 5,625 s.f.	11,621 s.f.
C. Difference = 549 s.f.	549 s.f.
TREES	
A. The number of trees required per net lot acre = 20 TREES PER NET ACRE	20
Net lot area = 0.96 net lot acre = 20 TREES	20
B. Street trees (max average spacing of 35' o.c.) = 445 linear feet along street / 35 = 12.7	12.7
C. Parking lot trees (1 per 80 s.f. of parking landscape area) = 360 s.f. / 80 = 4.5 trees	4.5
D. Total number of trees required & provided = 44.2	44.2
E. 30 ± palm trees allowed = 12 Royal Palms provided = 12 TREES = 25 ±	25
F. Percentage of native trees required = the number of trees provided 48 ÷ 30 ± = 1.6	1.6
SHRUBS	
A. The total number of trees required 44.2 x 10 = 442 required shrubs	442
B. 10% of native shrubs required = 44.2	44.2
C. 10% of native shrubs required = 44.2	44.2

RECEIVED  
212-085  
AUG 21 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: AKH

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 15th STREET AND 14th AVENUE

VILLA & ASSOCIATES INC.  
ARCHITECT  
1744 SW 48 STREET  
MIAMI, FL 33134  
(305) 867-8981




DATE: 08-08-12  
SCALE: 1/16" = 1'  
DATE SUBMITTED FOR REVIEW:  
DRAWING NO: L-1 OF 1

33



RECEIVED  
212-085  
AUG 13 2012

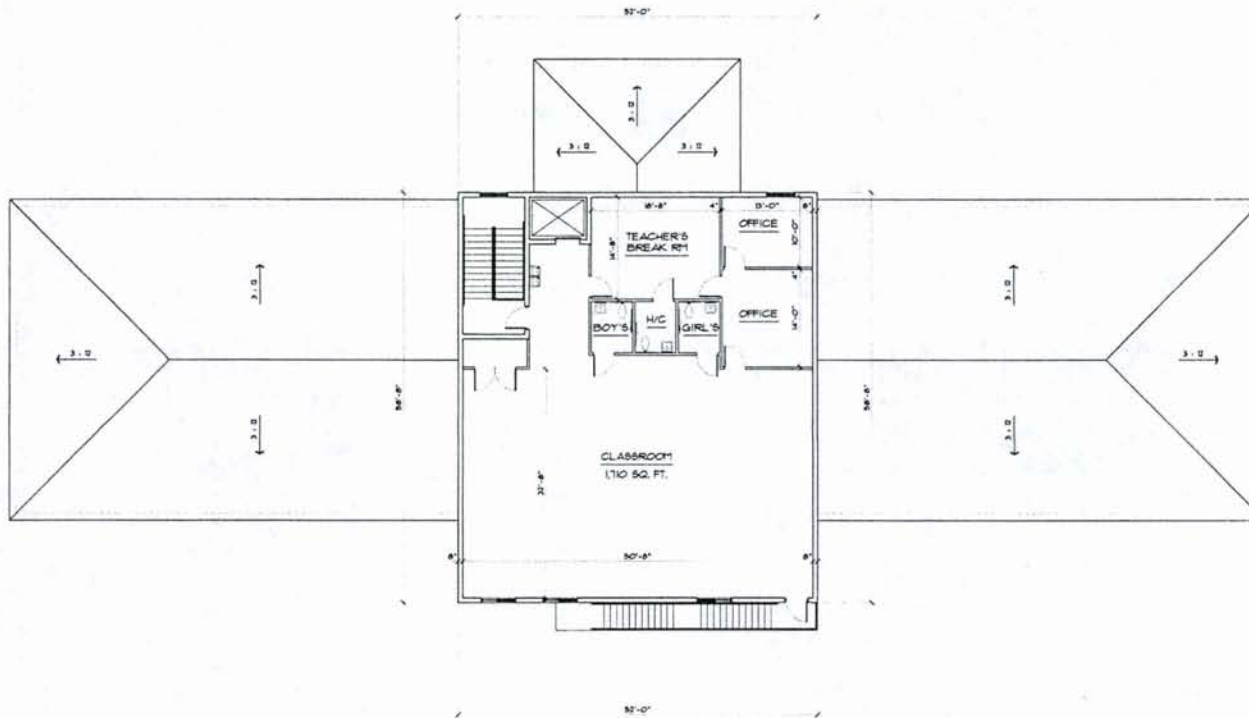
RECEIVED  
JUN 17 1964  
U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

		<b>VILLA &amp; ASSOCIATES INC.</b> 7544 SW 18 STREET - MIAMI FL 33156 - (305) 981-8261 OFFICE: 7544 SW 18 STREET - MIAMI FL 33156 - (305) 981-8261		CONSULTANT:	
DATE: 06-06-12 DAY SUBMITTED FOR BIDS:		SCALE: 1" = 1'		DRAWING NO: A-4 OF 7	

CONTRACT NO. 84-000230-01 SCHEDULED DATE:	HIGHER LEARNING EDUCATIONAL CENTER AND 8 RESIDENTIAL LOTS FOLIO # 30-4970-003-00650 VACANT LAND ON SW 10TH STREET AND 14TH AVENUE JOSE L. VILLALBA/ENDC AND ASSOCIATES
--	--

REVISIONS: 1





PROPOSED SECOND FLOOR PLAN — 1/8" = 1'-0"  
3,051 SQ. FT.

**RECEIVED**  
212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY ST

RECEIVED  
AUG 13 2012

REVISIONS:

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-4970-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

Preparation License #A0000308	Architectural Seal JAMES VALANCIANO NO. 00001171
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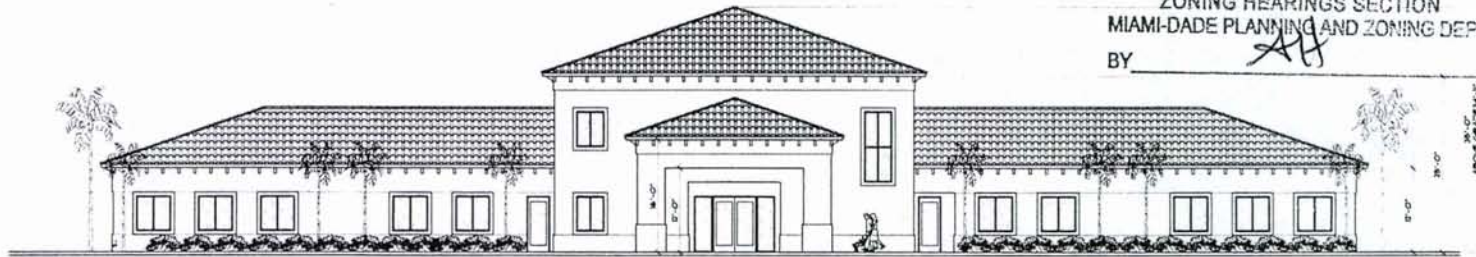
**VILLA & ASSOCIATES INC.**  
ARCHITECTURE - PLANNING - INTERIOR DESIGN  
7844 SW 48 STREET - MIAMI FL 33156 - (305) 581-5191  
CONSULTANT:



DATE: 06-06-12	SCALE: 1/8"
DATE SUBMITTED FOR REVIEW: 	
DRAWING NO.: A-5 OF 7	

RECEIVED  
20-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY *AB*



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



SIDE ELEVATION (WEST) ——— 1/8" = 1'-0"



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



REAR ELEVATION (SOUTH) ——— 1/8" = 1'-0"


HIGHER LEARNING EDUCATIONAL CENTER  
AND  
6 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 18th STREET AND 47th AVENUE

Corporate License #A00000000
Architectural Seal
<i>[Signature]</i>
JOSUE L. VILLALBA NO. A00000000

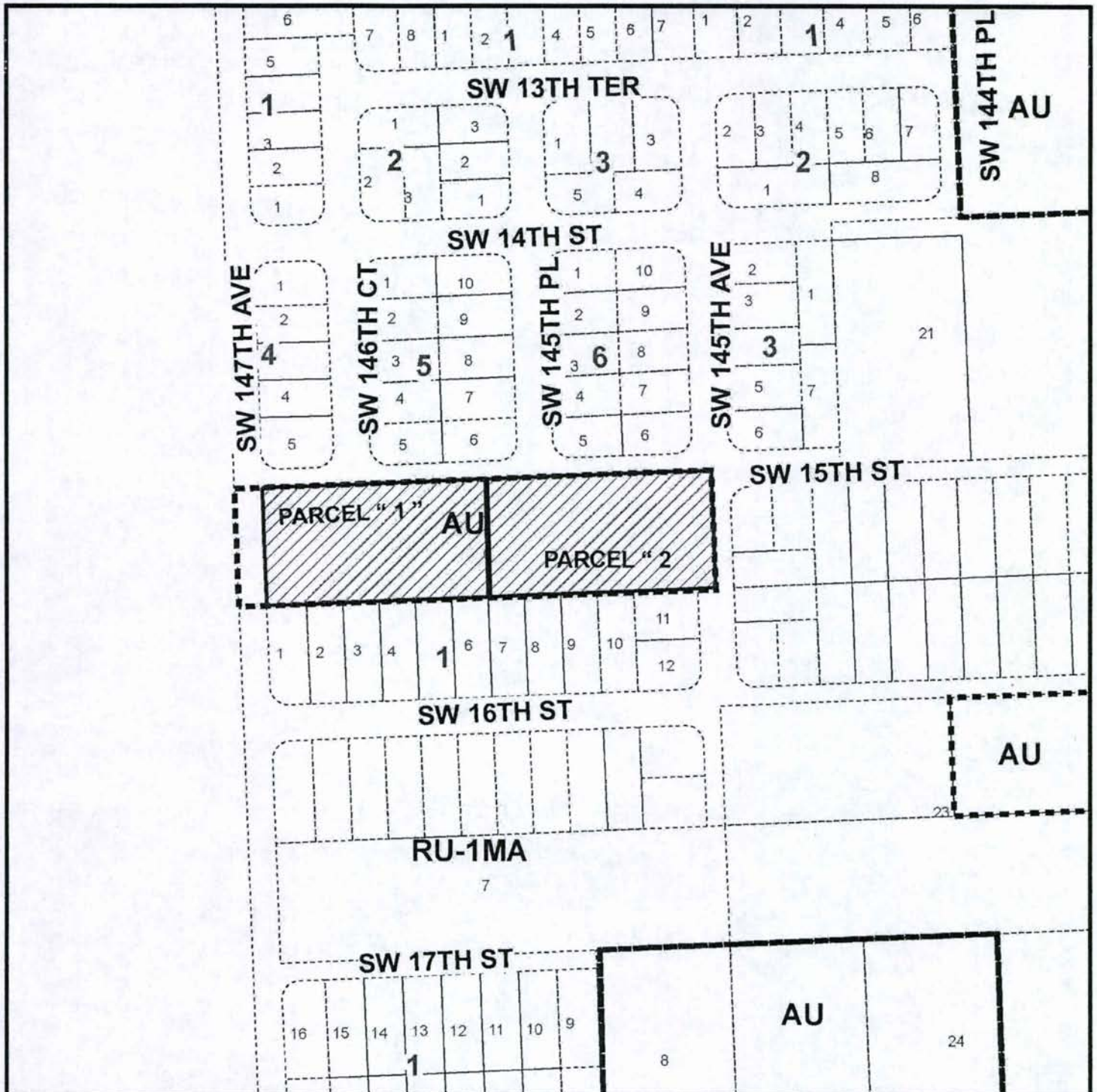
VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
7544 SW 48 STREET  
MIAMI, FL 3315  
CONSULTANT



DATE: 08-06-12	SCALE: 1/8"
DATE SUBMITTED FOR REVIEW: 1	
DRAWING NO: A-7 OF 7	

36







**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

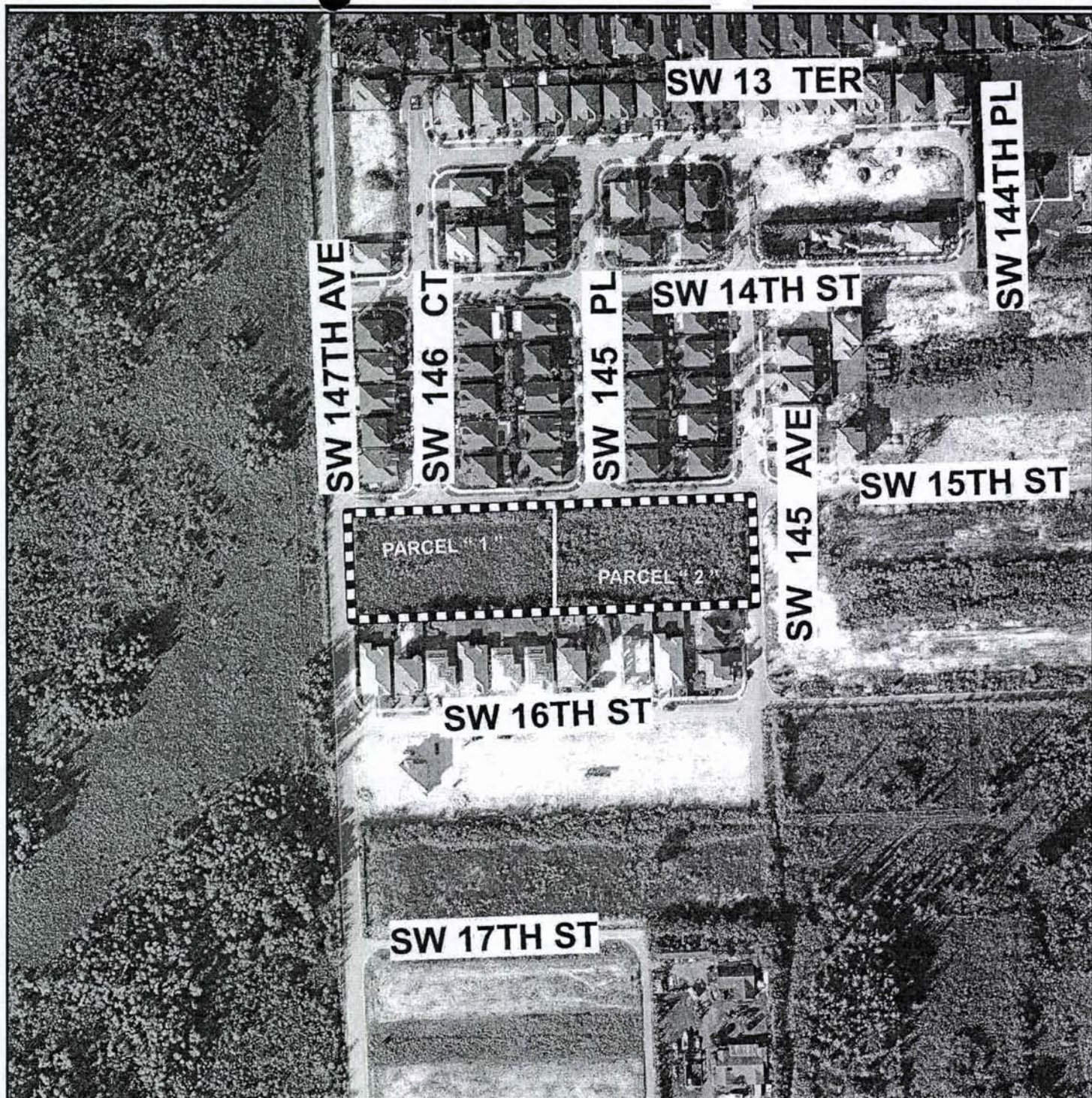
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		37





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012


Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend

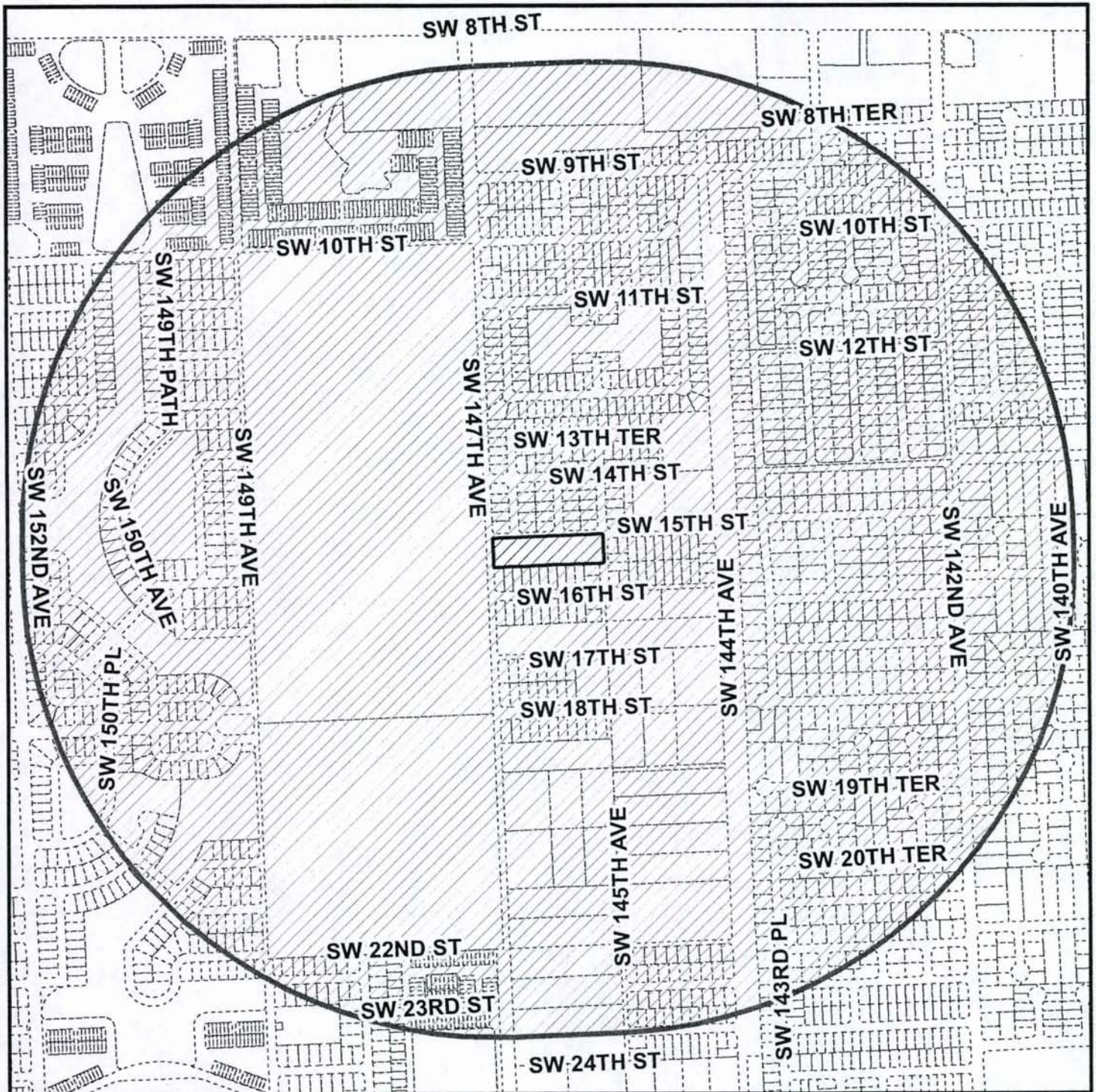
 Subject Property

**MIAMI-DADE  
COUNTY**

SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		38





**MIAMI-DADE COUNTY  
RADIUS MAP**



Process Number

**Z2012000085**

RADIUS: 2640

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

**Legend**

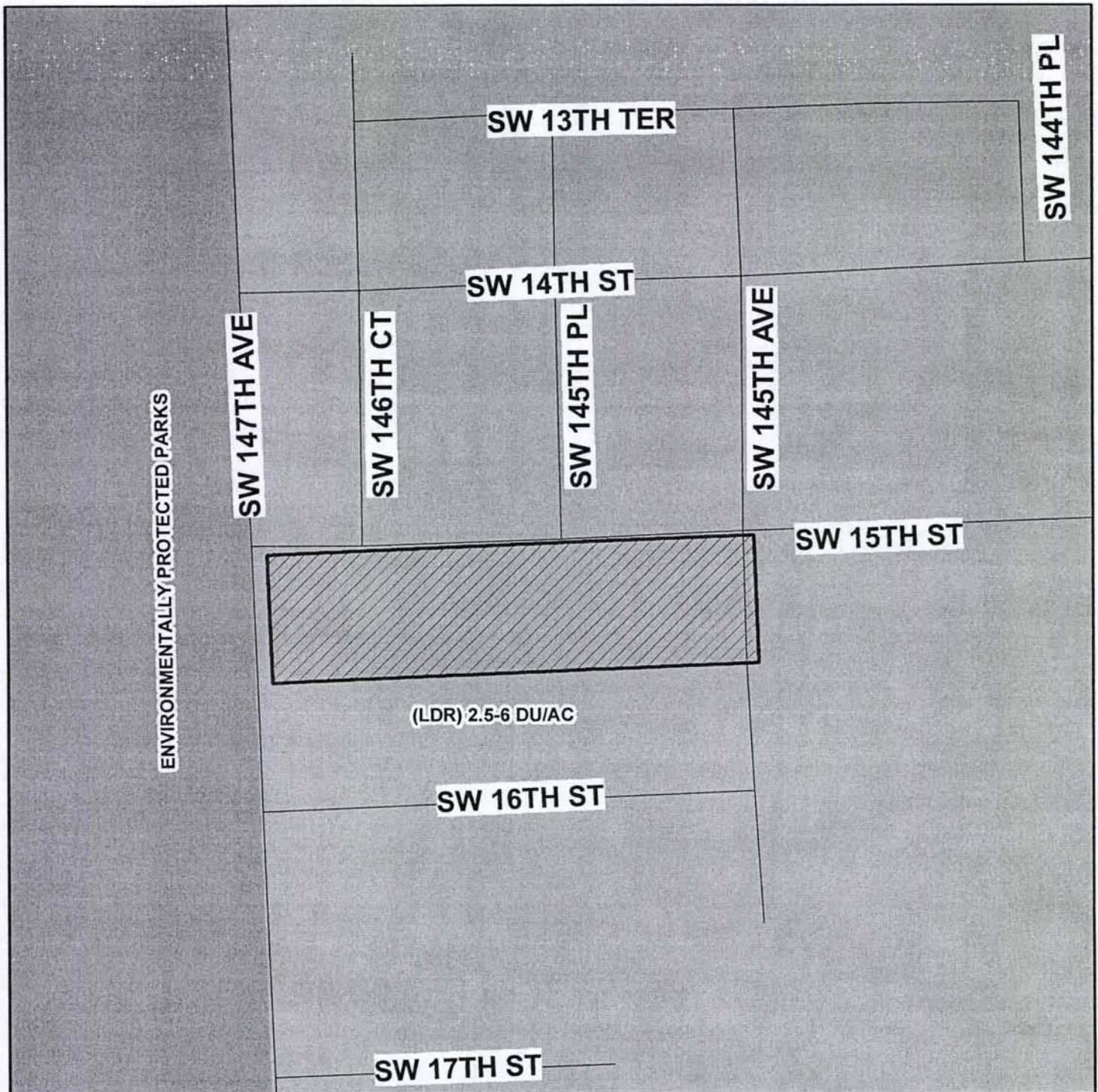
-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		39





**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

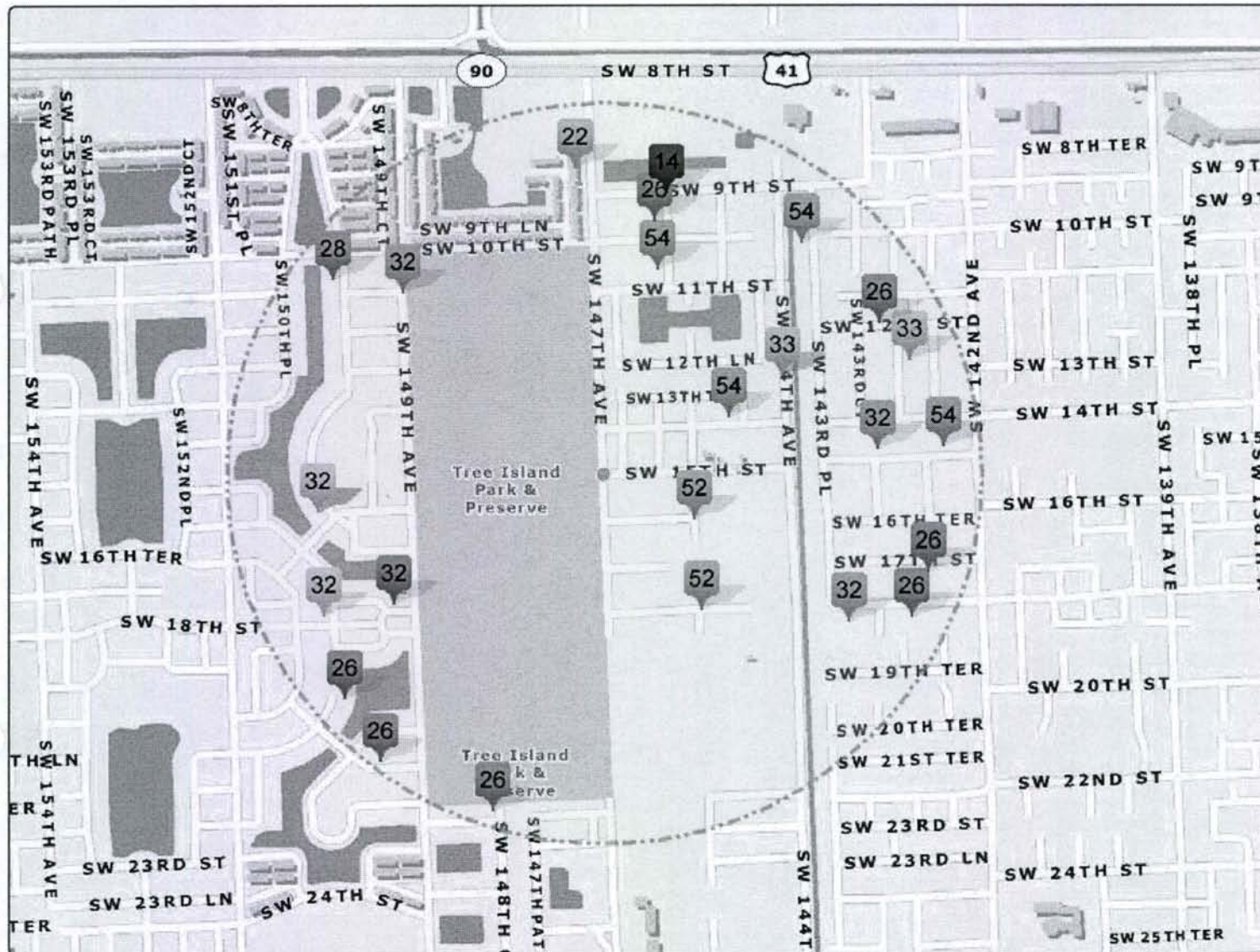
REVISION	DATE	BY



# OSCAR CASTILLA TRUSTEE

Z2012000085 2012 SELECTED CRIMES (JAN 1 - JULY 2) 0.5 MI

Miami-Dade Police Department



## Map Legend

CAS Incidents (27)

- 26R - Burglary Residential (7)
- 52 - Narcotics Investigation (5)
- 54 - Fraud (4)
- 32 - Assault (3)
- 32D - Domestic Assault (2)
- 33R - Sex Offense Rape (2)
- 22S - Auto Theft Stolen (1)
- 14 - Conduct Investigation (1)
- 28 - Vandalism (1)
- 32A - Aggravated Assault (1)

This map was prepared using Miami-Dade County's (MDC) Geographic Information System (GIS). As is the case with all public records information, the nature of the data and the collection processes limit the ability of any aggregator to independently validate data and content. Every effort has been made to ensure that the information represented is accurate, however, the results cannot be guaranteed. In order to ensure the accuracy of the information supplied by MDC, the requestor should consult the official government record. Based on these limitations, MDC is unable to guarantee the accuracy of the information represented. Employees or agents disclaim all warranties, expressed or implied, as to any matter whatsoever and shall not be responsible for any loss or damage that may directly or indirectly arise as the result of use of information contained in the County's GIS.

CrimeView Server  
Printed: 7/2/2012 4:32:57 PM

# Memorandum



**Date:** September 5, 2012

**To:** Jack Kardys, Director  
Park and Recreation Department

**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

---

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

# Memorandum



244698

**Date:** September 26, 2012

**To:** Jack Osterholt, Deputy Mayor/Director  
Regulatory and Economic Resources Department

**From:** Jack Kardys, Director  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS

### Local Recreation Open Space Level of Service, 2012

Park Benefit District	Unincorporated Population (1) Plus Permitted Development	Standard @ 2.75 Acres Per 1000 Residents	Public Park Acres (2)	School Acres (3)	Private Open Space Acres (4)	Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
1	370,546	1,019.00	763.09	299.82	267	1,329.91	310.91	131%
2	600,714	1,651.96	1,317.61	356.30	473	2,146.91	494.95	130%
3	154,867	425.88	448.99	96.62	89	634.61	208.73	149%
<b>TOTAL</b>	<b>1,126,127</b>	<b>3,096.85</b>	<b>2,529.69</b>	<b>752.74</b>	<b>829</b>	<b>4,111.43</b>	<b>1,014.58</b>	<b>133%</b>

Source: (1) Miami Dade Department of Planning and Zoning, June 2012

(2) Miami-Dade County Park and Recreation Department, Planning and Research Division, June 2012

(3) Miami-Dade County School Board, Site Planning Department 11/28/08

(4) Private Open Space is one-half of total private acres.



# Memorandum



**Date:** September 28, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Kathleen Woods-Richardson, Director  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in black ink, reading "Kathleen Woods-Richardson".

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

- c: Paul Mauriello, Assistant Director, Operations
- Christopher Rose, Assistant Director, Administration
- Asok Ganguli, Assistant Director, Technical Services
- Michael Moore, Assistant Director, Disposal Operations

Public Works and Waste Management Department (PWWM)  
Solid Waste Management Disposal Facility Available Capacity  
From Fiscal Year 2012-13 Through Fiscal Year 2028-29

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL		
OCT. 1, 2012 TO SEPT. 30, 2013	1,522,000	1,551,718	194,000	1,357,718	6,199,967	216,000	5,983,967	1,717,327	124,000	1,593,327	250,000	784,000	738,000
OCT. 1, 2013 TO SEPT. 30, 2014	1,522,000	1,357,718	194,000	1,163,718	5,983,967	216,000	5,767,967	1,593,327	124,000	1,469,327	250,000	784,000	738,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,522,000	1,163,718	194,000	969,718	5,767,967	216,000	5,551,967	1,469,327	124,000	1,345,327	250,000	784,000	738,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,522,000	969,718	194,000	775,718	5,551,967	216,000	5,335,967	1,345,327	124,000	1,221,327	250,000	784,000	738,000
OCT. 1, 2016 TO SEPT. 30, 2017	1,522,000	775,718	194,000	581,718	5,335,967	216,000	5,119,967	1,221,327	124,000	1,097,327	250,000	784,000	738,000
OCT. 1, 2017 TO SEPT. 30, 2018	1,522,000	581,718	194,000	387,718	5,119,967	216,000	4,903,967	1,097,327	124,000	973,327	250,000	784,000	738,000
OCT. 1, 2018 TO SEPT. 30, 2019	1,522,000	387,718	194,000	193,718	4,903,967	216,000	4,687,967	973,327	124,000	849,327	250,000	784,000	738,000
OCT. 1, 2019 TO SEPT. 30, 2020	1,522,000	193,718	193,718	0	4,687,967	216,282	4,471,685	849,327	124,000	725,327	250,000	784,000	738,000
OCT. 1, 2020 TO SEPT. 30, 2021	1,522,000	0	0	0	4,471,685	410,000	4,061,685	725,327	124,000	601,327	250,000	784,000	738,000
OCT. 1, 2021 TO SEPT. 30, 2022	1,522,000	0	0	0	4,061,685	410,000	3,651,685	601,327	124,000	477,327	250,000	784,000	738,000
OCT. 1, 2022 TO SEPT. 30, 2023	1,522,000	0	0	0	3,651,685	410,000	3,241,685	477,327	124,000	353,327	250,000	784,000	738,000
OCT. 1, 2023 TO SEPT. 30, 2024	1,522,000	0	0	0	3,241,685	410,000	2,831,685	353,327	124,000	229,327	250,000	784,000	738,000
OCT. 1, 2024 TO SEPT. 30, 2025	1,522,000	0	0	0	2,831,685	410,000	2,421,685	229,327	124,000	105,327	250,000	784,000	738,000
OCT. 1, 2025 TO SEPT. 30, 2026	1,522,000	0	0	0	2,421,685	428,673	1,993,012	105,327	105,327	0	250,000	784,000	738,000
OCT. 1, 2026 TO SEPT. 30, 2027	1,522,000	0	0	0	1,993,012	534,000	1,459,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2027 TO SEPT. 30, 2028	1,522,000	0	0	0	1,459,012	534,000	925,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2028 TO SEPT. 30, 2029	1,522,000	0	0	0	925,012	534,000	391,012	0	0	0	250,000	784,000	738,000
REMAINING YEARS				7			17			13		17	

ANNUAL DISPOSAL RATE (in tons)

RESOURCES RECOVERY ASHFILL	194,000
SOUTH DADE LANDFILL	216,000
NORTH DADE LANDFILL	124,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>784,000</u>

\* Ashfill capacity is for Cell 19 and Cell 20.

\*\* South Dade includes Cells 3, 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015. The Department anticipates contract renewal in 2015.

All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2010, survey with actual tons from July 2009, through June, 2010, and projected tons for July, August and September, 2010.

# Memorandum



**Date:** November 13, 2012

**To:** Jack Osterholt, Director/Deputy Mayor  
Department of Regulatory and Economic Resources

**From:** Ysela Llor, Director  
Miami-Dade Transit

**Subject:** FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Robert Pearsall, MDT  
Nilia Cartaya, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER

# Memorandum

MIAMI-DADE  
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010



# Memorandum



**Date:** September 5, 2012

**To:** Jack Kardys, Director  
Park and Recreation Department

**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

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The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 10

PH: Z12-085 (12-12-CZ10-1)

December 5, 2012

Item No. 1

Recommendation Summary	
Commission District	11
Applicant	Julmar 147 Investment, LLC
Summary of Requests	The applicant is seeking a district boundary change from AU to RU-1M(a) to permit a private school and daycare and six (6) residential lots. A special exception to permit a private school, an unusual use to permit a daycare and non-use variances of setback and right-of-way requirements.
Location	Lying South of SW 15 <sup>th</sup> Street, between SW 145 <sup>th</sup> Ave and SW 147 <sup>th</sup> Ave, Miami-Dade County, Florida.
Property Size	2.34 acres
Existing Zoning	AU
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Low Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	<b>Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.</b>

**REQUESTS:**

REQUEST #1 ON PARCELS "1" & "2"

- (1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

REQUESTS #2, #3, #4 & #5 ON PARCEL "1"

- (2) SPECIAL EXCEPTION to permit a private school.
- (3) UNUSUAL USE to permit a daycare.
- (4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.
- (5) NON-USE VARIANCE to permit parking and drives within 25' of an official right-of-way (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The applicant seeks to rezone a 2.34 acre parcel of land from AU, Agricultural to RU-1M(a), Modified Single Family Residential District and develop the site with a private school and daycare center and six residential lots.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; vacant	Low Density Residential (2.5 to 6 dua)
<b>North</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>South</b>	RU-1MA; single-family residences	Low Density Residential (2.5 to 6 dua)
<b>East</b>	RU-1MA; vacant	Low Density Residential (2.5 to 6 dua)
<b>West</b>	RU-1MA; vacant	Environmentally Protected Park

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.34 acre site, located at the southeast corner of SW 15<sup>th</sup> Street between SW 147<sup>th</sup> Ave and SW 145<sup>th</sup> Ave. The subject property is surrounded by single-family residences, vacant land and an environmentally protected park.

**SUMMARY OF IMPACT:**

The approval of this application will allow the applicant to provide the community with additional educational services and housing in the area. However, the requested variances could have a minimal impact in traffic and a minimal visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as **Low Density Residential** on the Comprehensive Development Master Plan's (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, which would result in the maximum development of 14 residential units on this 2.34 acre site. However, the requested RU-1M(a) zoning district would allow a density higher than six (6) units per acre, which would be *inconsistent* with the LUP map's density allowed without a covenant limiting the maximum number of units to no more than six (6) units per acre.

Therefore, the applicant has proffered a covenant restricting the development of the 2.34 acre parcel to a maximum of 6.0 dwelling units per gross acre, which is the maximum allowed under the density threshold of the LUP map. The applicant is proposing to develop 1.18 acres of the 2.34 acre parcel (Parcel 2) with six (6) single-family residences, which is less than the maximum of seven (7) units allowed on the 1.18 acre parcel. Therefore, the development of the site with the proffered covenant will be **consistent** with the density threshold of the LUP map of the CDMP.



The CDMP Education Element Objective EDU-3 discusses suitable sites for the development and expansion of public educational facilities. **Policy EDU-3A** provides that "it is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools". In accordance with said policy, the subject property, which proposes a private elementary school and daycare, is located approximately 0.55 miles south of the UDB, which runs east to west along SW 8 Street in this area of the County, and 1.0 mile east of the UDB, which runs north to south along SW 157 Avenue in this area of the County and therefore **consistent** with said policy.

The adopted Interpretive Text of the CDMP Land Use Element under Residential Communities states that neighborhood and community services including **schools**, parks, houses of worship, **daycare centers**, group housing facilities, and utility facilities are permitted only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Compatibility shall be determined in accordance to Policy LU-4A. **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of the Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change and proposed educational use. Therefore, staff opines that for the reasons previously discussed the proposed requests are **consistent** with the *Low Density Residential* designation and the Land Use Element interpretative text for Residential Communities and compatible with the surrounding area based on the that Land Use Element Policy LU-4A compatibility criteria.

#### **ZONING ANALYSIS:**

The site plans submitted indicate that a private school and daycare for 200 children is proposed on the west portion of the site (parcel #1) and six (6) single-family lots are proposed on the east portion of the site (parcel #2).

When request #1, to permit a district boundary change from AU to RU-1MA is analyzed under Section 33-311, District Boundary Change, staff is of the opinion that the approval of this request will not have an unfavorable impact on the economy or on the environmental and natural resources of Miami-Dade County. Staff opines that the developments proposed by this application will not unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities nor unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways based on the memoranda from the Miami-Dade County Departments concerned with reviewing this application. Therefore, staff opines that approval of request #1 is **compatible** with the neighborhood development trend and would serve a public benefit warranting the approval of the application. Furthermore, staff is of the opinion that the proposed zone change to RU-1M(a) is **compatible** with the residential development trend as evidenced by the similar rezonings in the surrounding area. Specifically, the abutting properties to the north, east and south of the subject property were respectively rezoned from AU to RU-1M(a), from 2002 to 2006, pursuant to Resolutions #CZAB10-33-02,



**CZAB10-53-07, CZAB10-54-07 and CZAB10-77-05. Staff therefore, recommends approval of request #1, subject to the board's acceptance of the proffered covenant under Section 33-311, District Boundary Change.**

When requests #2, Special Exception to permit a private school and daycare, and #3, Unusual Use to permit a daycare are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of said requests would be **compatible** with the surrounding area. In staff's opinion, approval of the requested special exception and unusual use, which would allow the applicant to develop the site with a private school and daycare would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to create a fire or other equally or greater dangerous hazards, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Environmental Resources Management Division of the Department of Regulatory and Economic Resources and the Miami-Dade Fire Rescue Department. Further, said memoranda also indicates that the approval of said requests would not have negative noise, traffic impacts or unduly burden County services in the surrounding area. Additionally, said departments indicate in their memoranda that they do not object to the application.

Notwithstanding the foregoing, staff notes that the subject property abuts an Environmentally Endangered Land (EEL) property to the west, which was a part of the Tree Island Governmental Facilities approval pursuant to Resolution No. R-447-12 on June 5, 2012. EEL lands are typically maintained by the use of periodic ecological prescribed burning. The Florida Legislature passed the Prescribed Fire Act in 1990 to promote the importance of prescribed fire and to provide liability protection. As stated in the Environmental Resources Management Division of the Department of Regulatory and Economic Resources memorandum, such burning is generally performed once every three years and the subject property lies within the potential smoke dispersion corridor. However, the site plan provided indicates that the school site has been designed with sensitivity to the abutting EEL property by locating the playground/recreation area on the east portion of parcel #1 of the subject property, placing the school building in between the playground area and the EEL property. Staff recommends as a condition for approval, that the proposed private school and daycare keep the children indoors on the days that prescribed burns occur.

In addition, staff notes that although the proposed playground abuts residential properties to the east and south, it is adequately buffered by a proposed continuous hedge and row of trees. However, as a condition for approval staff recommends that the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties. In addition, the plans submitted indicate that the proposed private school and daycare will be properly accessible by public roads, streets or highways, specifically SW 15th Street and SW 147th Avenue. Furthermore, the parking lot, which exceeds the parking requirement by 15 parking spaces, is located on the south portion of the subject property with the ingress and egress access provided from SW 147th Avenue. The site plan also indicates the drop-off/pickup area along SW 15th Street. As such, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned, staff opines that the same are **compatible** with the surrounding area.

When requests #4, to permit the school setback 6' (25' required) from the side street (north) property line and #5, to permit parking and drives within 25' of an official right-of-way (not permitted) are analyzed under the Non-Use Variance (NUV) Standards, 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding



area. Staff opines that requests #4 and #5 are germane to the applicant's request to develop a private school and daycare (requests #2 and #3) on parcel #1. Staff also opines that the proposed porte-cochere, which encroaches into the side setback area, will protect the children being dropped off from the elements and will add curb appeal to the subject property. Furthermore, the main school building meets setback requirements and is located 26' from the side street property line. In addition, staff opines that the applicant's request to permit parking and drives within 25' of an official right-of-way will not have a negative visual impact on passersby along SW 15<sup>th</sup> Street. The submitted plans indicate that there will be adequate landscaping to the stacking area which will mitigate any potential negative visual impact. Therefore, staff opines that approval with conditions of these requests will not create a negative visual impact along SW 15th Street and will not be intrusive to the surrounding area. As such, staff opines that the approval with conditions of these requests would not have a negative visual or aural impact on the surrounding area and would be **compatible** with the same. **Therefore, staff recommends approval with conditions of requests #4 and #5 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along SW 147<sup>th</sup> Avenue. The plans also show a total of 34 parking spaces, which exceeds the parking requirement by 15 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

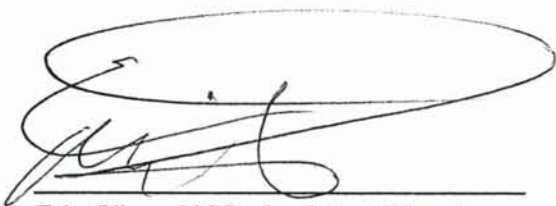
**RECOMMENDATION:** Approval of request #1, subject to the board's acceptance of the proffered covenant and approval with conditions of requests #2 through #5.

**CONDITIONS FOR APPROVAL:** (for requests #2 through #5 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc., Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed hedge grow to and be maintained at a height of 6' along the rear (east) and interior side (south) property lines abutting the residential properties
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).

6. That the private school and daycare be restricted to K-2 grade and to a maximum of two hundred (200) children.
7. That the hours of operation shall be from 7:00 AM to 6:30 PM.
8. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
9. That the school shall assign staff to monitor and direct on-site vehicular traffic during drop-off and pick-up times to facilitate the flow of traffic and prevent potential accumulation on the public right-of-way.
10. That the waste pick-up at the school shall be performed by a private commercial entity and shall be prohibited during arrival and dismissal times.
11. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.
12. That the applicant obtain a new Certificate of Use from and promptly renew the same annually, with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
13. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
14. That the proposed private school and daycare keep the children indoors on the days that prescribed EEL property burns occur.

ES:MW:NN:CH:JC

A handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line.

Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department



# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<b>Low Density Residential</b> (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including <b>schools</b>, parks, houses of worship, <b>daycare centers</b>, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Land Use Objective LU-4A</b> (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Education Element Objective EDU-3A</b> (Pg. X-5)	<i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that <b>new elementary schools</b> constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to <b>private schools</b>.</i>



# ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311 District Boundary Change</b>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"><li>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></li><li>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></li><li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li><li>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></li><li>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></li></ol>
<b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b>	<p><i>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>

## ZONING RECOMMENDATION ADDENDUM

Julmar 147 Investment, LLC  
Z12-085

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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**1. JULMAR 147 INVESTMENT, LLC**  
**(Applicant)**

**12-12-CZ10-1 (12-085)**  
**Area 10/District 11**  
**Hearing Date: 12/05/12**

Property Owner (if different from applicant) **Oscar Castillo Trustee.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? OSCAR

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
None				

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.



# Memorandum



**Date:** October 23, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources

**Subject:** C-10 #Z2012000085-3<sup>rd</sup> Revision  
Oscar Castilla  
SE corner of the intersection of SW 147<sup>th</sup> Avenue and 15<sup>th</sup> Street  
District Boundary (Zone) Changes to RU-MA. Special Exception to  
Permit a K-2 School  
(AU) (2.34 Acres)  
10-54-39

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the "From:" line.

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

## Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

## Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity



in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

The proposed development is located within Bird Drive Basin, where a portion of the site must be set aside for stormwater management as required by the Code, to comply with the official Miami-Dade County report for that Basin. If said property has been continuously four and one-half (4.5) acres or less in size since September 30, 1997, the applicant may opt to pay a financial contribution into the Stormwater Compensation Trust Fund in lieu of providing set aside area for surface Water Management.

A Surface Water Management individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

This Program has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be changed to indicate the preservation of the tree island and a suitable amount of buffer to the development.



Please contact the Wetland Resources Program at (305)372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Natural Forest Communities

The subject property lies east to an Environmentally Endangered Land property (EEL) (Tree Island Park). EEL properties are subject to the Natural Forest Communities regulations in Section 24-49 of the Code and EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. Due to the quality of these habitats, the County recommends maintaining these globally imperiled Natural Forest Communities areas as a natural preserve. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

#### Tree Preservation

The subject property contains tree resources and contains wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

#### Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

## PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: OSCAR CASTILLA, TRUSTEE

This Department has no objections to this application.

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Site Plans S1, dated 08/06/2012 and received by Zoning on 08/23/2012; the Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively; and the Traffic Operations Plan, dated 08/21/2012, for the proposed facility located at the intersection of at SW 147 Avenue and SW 15 Street, and has the following comments:

### Site Plan Review:

The Site Plans named S1, dated 08/06/2012 and received by Zoning on 08/23/2012, are acceptable and must supersede all other hearing site plans.

### Traffic Study Review:

Traffic Impact Study and Technical Memorandum, dated 06/18/2012 and 08/21/2012 respectively, must be included within the permanent zoning hearing documents.

### Traffic Operations Plan (TOP) Review:

The Traffic Operations Plan, dated 08/21/2012, is acceptable. The Traffic Operations Plan scanned as part of the zoning hearing documents must be rescanned to contain page 2 of 3.

### Project Requirements:

All off-site improvements shall be constructed prior to the school opening.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing signals are required along SW 147 Avenue and SW 15 Street adjacent to the site. A school speed zone and flashing signals may be waived at this time with the



provision that a school policy explicitly stating that all students must be accompanied by an adult to and from school at all times is provided within a covenant for this facility and published as school policy; and the school administration agrees to timely purchase and install such traffic control devices, if the Miami-Dade County Public Works and Waste Management Department determines the future need for said devices.

A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school opening or expansion. The "Declaration of Restrictions" shall include a Traffic Operations Plan narrative and plan that has been found acceptable by TED.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Please contact Ricardo Gavilan at 305-375-2030, if you have any questions concerning this recommendation.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 132 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

12-SEP-12



## PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-085  
Updated Oscar Castilla, Trustee

**Application:** *Oscar Castilla, Trustee* is still requesting a District Boundary Change from Agricultural (AU) to modified Single-family Residential (RU1-MA), and a special exception for a school serving grades K to 2. Currently, the applicant is also requesting a variance for a setback on the property.

**Size:** The subject property is approximately 2.35 acres.

**Location:** The subject property is approximately south of SW 15<sup>th</sup> Street, between SW 145<sup>th</sup> Avenue and SW 147<sup>th</sup> Avenue in Miami-Dade County, Florida.

### Analysis:

#### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

#### 2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated July 10, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The placement of a school on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

#### 3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

#### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**



**Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School**

School Name: HIGHER LEARNING EDUCATIONAL CENTER

School Address: Vacant land on SW 147th Avenue & 15th Street Tax Folio # 30-4910-003-0050

1. Is this an expansion to an existing school ☐ Yes ☒ No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
  2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
  3. Number of children or students requested: 200 Ages: Infant - 8 years old (Infant-Pk-2nd Grade)
  4. Number of teachers: 16 Number of administrative & clerical personnel: 4.
  5. Number of classrooms: 11 Total square footage of classroom area: 7,082 sq. ft.
  6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
5,059 sq. ft. - Includes Stairs and Elevator
  7. Amount of outdoor recreation/play area in square footage: 11,350 sq. ft.
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided = 34 spaces parking spaces required by §33-124(L) = 20 spaces
  10. Indicate the number of auto stacking spaces: 5 provided 5 required.
  11. Proposed height for the structure(s): 35'-0" See §33-151.18(g).
  12. Size of identification sign: n/a x n/a = n/a sq. ft. See §33-151.18(c).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  13. Days and hours of operation: Infants - Pk - 2nd Grd School shall operate M to F 7 am to 6:30 pm.
  14. Does the subject facility share the site with other facilities? \_\_\_ Yes ☒ No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
  15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? ☐ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). No Residential Uses

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212-08  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AT

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 160 (number of children) = 5,600 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x 40 (number of children) = 1,200 sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x 0 (number of children) = 0 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,800 sq. ft.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,082 sq. ft.

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 80 (1/2 of children) = 3,600 sq. ft.

- b. Grades 1-6 500 sq. ft. x 30 (first 30 children) = 15,000 sq. ft.

300 sq. ft. x 10 (remaining children) = 3,000 sq. ft.

- c. Grades 7-12 800 sq. ft. x 0 (first 30 children) = 0 sq. ft.

300 sq. ft. x 0 (next 300 children) = 0 sq. ft.

150 sq. ft. x \_\_\_\_\_ (remaining children) = \_\_\_\_\_

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,600 sq. ft.

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,350 sq. ft.

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 44.6 Trees provided: 48

- b. Ten shrubs are required for each tree required. Shrubs required: 446 Shrubs provided: 500.

- c. Grass area for organized sports/play area in square feet: 11,350 sq. ft. total recreation area

- d. Lawn area in square feet (exclusive of organized sports/play area): 6,620 sq. ft.

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AB

School Address: Vacant land on SW 147th Avenue & 15th Street - Miami, Florida Zip Code: 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15th day of June 2012 at Miami-Dade County, Florida.

Jorge L. Villavicencio, R.A.

Signature

WITNESSES:

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

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212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY





# Memorandum

**Date:** 13-SEP-12

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department

**Subject:** Z2012000085

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to site plan date stamped received August 21, 2012. Any changes to the vehicular circulation must be resubmitted for review and approval. This plan has been reviewed to assure compliance with the MDRF Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRF requirements.

## Service Impact/Demand

Development for the above Z2012000085  
located at LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.  
in Police Grid 1430 is proposed as the following:

residential	dwelling units	industrial	square feet
	square feet	institutional	square feet
Office	square feet	12,140	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 8.14 alarms-annually.  
The estimated average travel time is: 6:20 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street  
ALS Engine.

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received August 21, 2012. Substantial changes to the plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.



# Memorandum



**Date:** July 13, 2012

**To:** Jack Osterholt, Director  
Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2012000085: OSCAR CASTILLA, TRUSTEE

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**Application Name:** OSCAR CASTILLA, TRUSTEE

**Project Location:** The site is located south of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from AU TO RU-MA and a special exception to permit a school (K-2).

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

DATE: 29-AUG-12  
REVISION 1

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND  
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

OSCAR CASTILLA, TRUSTEE

LYING SOUTH OF SW 15 STREET,  
BETWEEN SW 145 AVENUE & SW  
147 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2012000085

---

HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: Case was opened on August 9, 2012 for junk/trash overgrowth and warning issued August 21, 2012 to be corrected by September 5, 2012. Prior case opened July 7, 2011 for failure to perform lot maintenance and citation issued. Affidavit compliance July 29, 2011. CVN electronically closed August 6, 2011 and case closed September 20, 2011. BNC: No bss cases open/closed.

Oscar Castilla Trustee

**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**

### DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Julmar 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>12911 SW 42nd St #205 Miami, FL 33175</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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MIAMI-DONALDSON  
BY AB

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

NAME OF PURCHASER: \_\_\_\_\_

Percentage of Interest

Date of contract: \_\_\_\_\_

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SEP 19 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

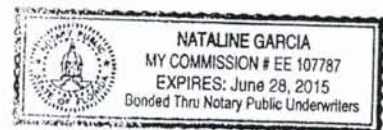
13N

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

(Applicant)

Notary Public

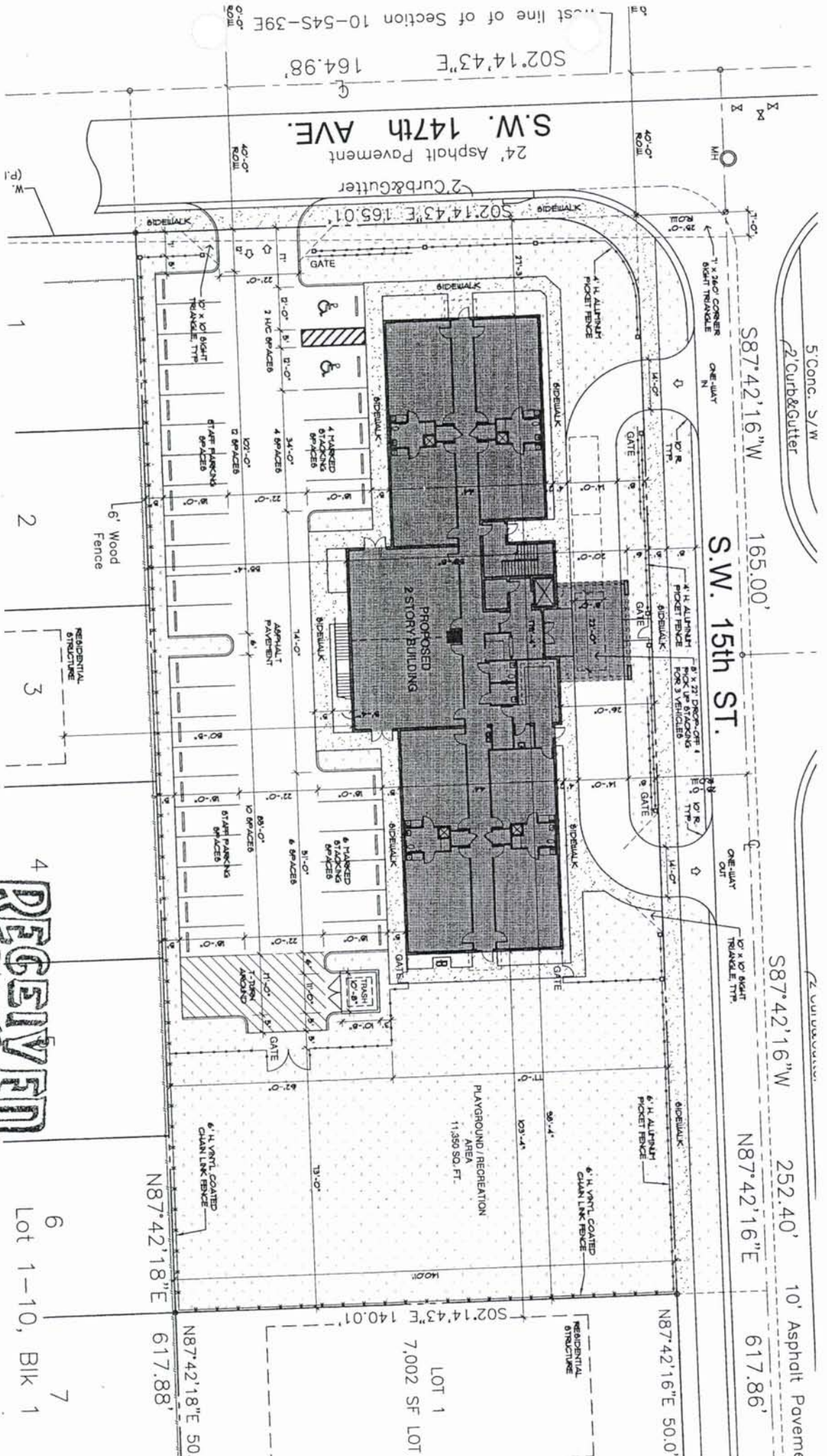
My commission expires: 6/28/2015



Seal

27





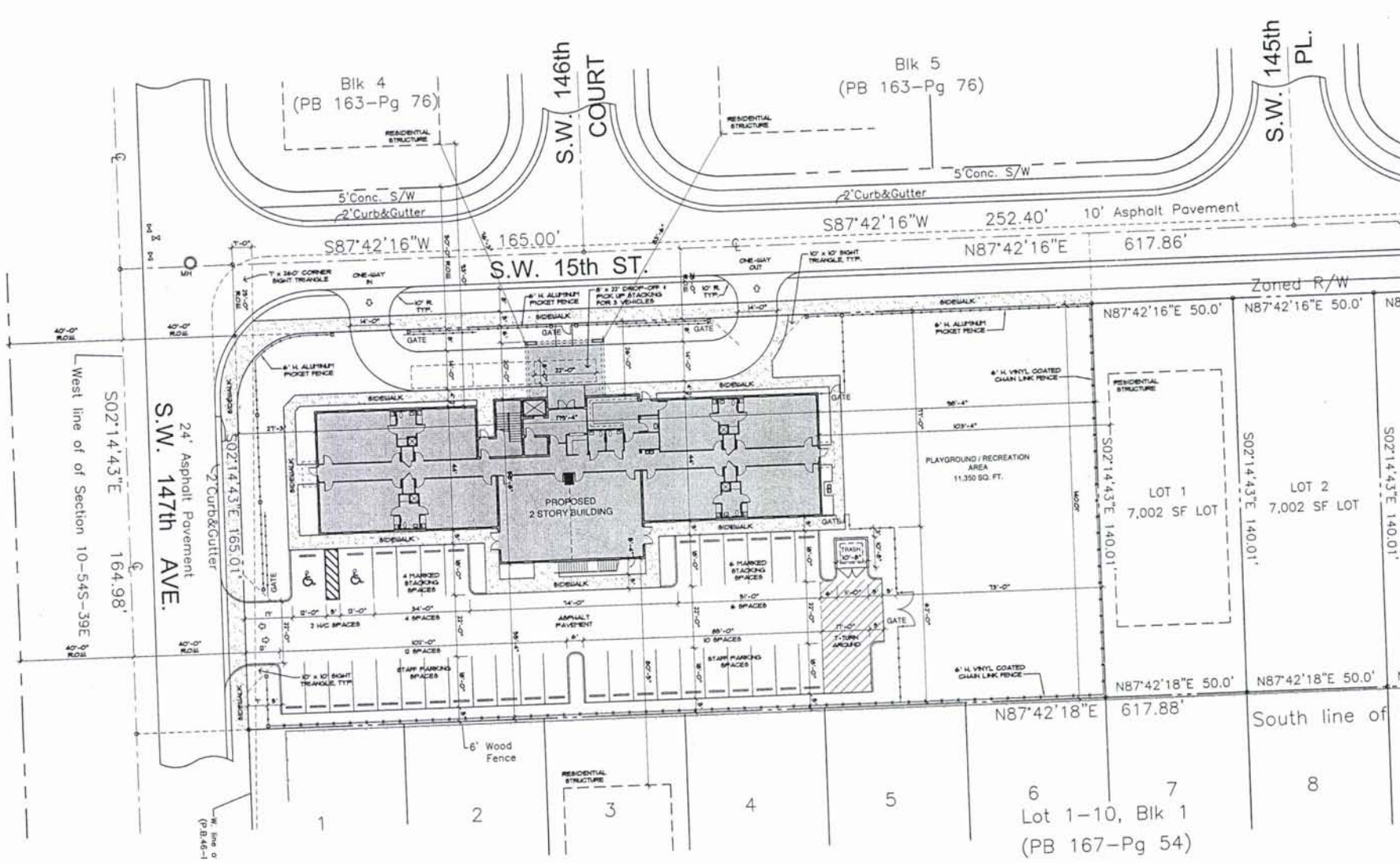
RECEIVED  
AUG 21 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY STH

DATE :  
06-08-12  
SCALE :  
1" = 30'  
DATE SUBMITTED FOR REVIEW  
DRAWING NO :  
A-1 of 7



30



**RECEIVED**  
22-085  
AUG 21 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY *AK*

PROPOSED SITE PLAN 1/16" = 1'

REVIEWED: DATE: 08-06-12 SCALE: 1/16" = 1' DATE SUBMITTED FOR REVIEW: DRAWING NO.: A-3 OF 7	
<b>VILLA &amp; ASSOCIATES, INC.</b> ARCHITECTURE 7344 SW 48 STREET MIAMI, FL 33156 (305) 881-8181 CONSULTANT	
<b>HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS</b> FOLIO # 30-4910-003-0060 VACANT LAND ON SW 15th STREET AND 147th AVENUE	

RECEIVED  
212-085  
AUG 13 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY AB

Department of Planning and Zoning  
Zoning Hearings Section  
111 N.W. 1st Street, 11th Floor  
Miami, Florida 33128  
(305) 375-2640

**CHILD CARE CHECKLIST REQUIREMENTS  
FOR ZONING HEARING**

- Day nurseries, day care centers and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3A, RU-3B, RU-4, RU-4A, RU-4B, RU-4C, RU-4D, RU-4E, RU-4F, RU-4G, RU-4H, RU-4I, RU-4J, RU-4K, RU-4L, RU-4M, RU-4N, RU-4O, RU-4P, RU-4Q, RU-4R, RU-4S, RU-4T, RU-4U, RU-4V, RU-4W, RU-4X, RU-4Y, RU-4Z, RU-4AA, RU-4AB, RU-4AC, RU-4AD, RU-4AE, RU-4AF, RU-4AG, RU-4AH, RU-4AI, RU-4AJ, RU-4AK, RU-4AL, RU-4AM, RU-4AN, RU-4AO, RU-4AP, RU-4AQ, RU-4AR, RU-4AS, RU-4AT, RU-4AU, RU-4AV, RU-4AW, RU-4AX, RU-4AY, RU-4AZ, RU-4BA, RU-4BB, RU-4BC, RU-4BD, RU-4BE, RU-4BF, RU-4BG, RU-4BH, RU-4BI, RU-4BJ, RU-4BK, RU-4BL, RU-4BM, RU-4BN, RU-4BO, RU-4BP, RU-4BQ, RU-4BR, RU-4BS, RU-4BT, RU-4BU, RU-4BV, RU-4BW, RU-4BX, RU-4BY, RU-4BZ, RU-4CA, RU-4CB, RU-4CC, RU-4CD, RU-4CE, RU-4CF, RU-4CG, RU-4CH, RU-4CI, RU-4CJ, RU-4CK, RU-4CL, RU-4CM, RU-4CN, RU-4CO, RU-4CP, RU-4CQ, RU-4CR, RU-4CS, RU-4CT, RU-4CU, RU-4CV, RU-4CW, RU-4CX, RU-4CY, RU-4CZ, RU-4DA, RU-4DB, RU-4DC, RU-4DD, RU-4DE, RU-4DF, RU-4DG, RU-4DH, RU-4DI, RU-4DJ, RU-4DK, RU-4DL, RU-4DM, RU-4DN, RU-4DO, RU-4DP, RU-4DQ, RU-4DR, RU-4DS, RU-4DT, RU-4DU, RU-4DV, RU-4DW, RU-4DX, RU-4DY, RU-4DZ, RU-4EA, RU-4EB, RU-4EC, RU-4ED, RU-4EE, RU-4EF, RU-4EG, RU-4EH, RU-4EI, RU-4EJ, RU-4EK, RU-4EL, RU-4EM, RU-4EN, RU-4EO, RU-4EP, RU-4EQ, RU-4ER, RU-4ES, RU-4ET, RU-4EU, RU-4EV, RU-4EW, RU-4EX, RU-4EY, RU-4EZ, RU-4FA, RU-4FB, RU-4FC, RU-4FD, RU-4FE, RU-4FF, RU-4FG, RU-4FH, RU-4FI, RU-4FJ, RU-4FK, RU-4FL, RU-4FM, RU-4FN, RU-4FO, RU-4FP, RU-4FQ, RU-4FR, RU-4FS, RU-4FT, RU-4FU, RU-4FV, RU-4FW, RU-4FX, RU-4FY, RU-4FZ, RU-4GA, RU-4GB, RU-4GC, RU-4GD, RU-4GE, RU-4GF, RU-4GG, RU-4GH, RU-4GI, RU-4GJ, RU-4GK, RU-4GL, RU-4GM, RU-4GN, RU-4GO, RU-4GP, RU-4GQ, RU-4GR, RU-4GS, RU-4GT, RU-4GU, RU-4GV, RU-4GW, RU-4GX, RU-4GY, RU-4GZ, RU-4HA, RU-4HB, RU-4HC, RU-4HD, RU-4HE, RU-4HF, RU-4HG, RU-4HH, RU-4HI, RU-4HJ, RU-4HK, RU-4HL, RU-4HM, RU-4HN, RU-4HO, RU-4HP, RU-4HQ, RU-4HR, RU-4HS, RU-4HT, RU-4HU, RU-4HV, RU-4HW, RU-4HX, RU-4HY, RU-4HZ, RU-4IA, RU-4IB, RU-4IC, RU-4ID, RU-4IE, RU-4IF, RU-4IG, RU-4IH, RU-4II, RU-4IJ, RU-4IK, RU-4IL, RU-4IM, RU-4IN, RU-4IO, RU-4IP, RU-4IQ, RU-4IR, RU-4IS, RU-4IT, RU-4IU, RU-4IV, RU-4IW, RU-4IX, RU-4IY, RU-4IZ, RU-4JA, RU-4JB, RU-4JC, RU-4JD, RU-4JE, RU-4JF, RU-4JG, RU-4JH, RU-4JI, RU-4JJ, RU-4JK, RU-4JL, RU-4JM, RU-4JN, RU-4JO, RU-4JP, RU-4JQ, RU-4JR, RU-4JS, RU-4JT, RU-4JU, RU-4JV, RU-4JW, RU-4JX, RU-4JY, RU-4JZ, RU-4KA, RU-4KB, RU-4KC, RU-4KD, RU-4KE, RU-4KF, RU-4KG, RU-4KH, RU-4KI, RU-4KJ, RU-4KK, RU-4KL, RU-4KM, RU-4KN, RU-4KO, RU-4KP, RU-4KQ, RU-4KR, RU-4KS, RU-4KT, RU-4KU, RU-4KV, RU-4KW, RU-4KX, RU-4KY, RU-4KZ, RU-4LA, RU-4LB, RU-4LC, RU-4LD, RU-4LE, RU-4LF, RU-4LG, RU-4LH, RU-4LI, RU-4LJ, RU-4LK, RU-4LL, RU-4LM, RU-4LN, RU-4LO, RU-4LP, RU-4LQ, RU-4LR, RU-4LS, RU-4LT, RU-4LU, RU-4LV, RU-4LW, RU-4LX, RU-4LY, RU-4LZ, RU-4MA, RU-4MB, RU-4MC, RU-4MD, RU-4ME, RU-4MF, RU-4MG, RU-4MH, RU-4MI, RU-4MJ, RU-4MK, RU-4ML, RU-4MM, RU-4MN, RU-4MO, RU-4MP, RU-4MQ, RU-4MR, RU-4MS, RU-4MT, RU-4MU, RU-4MV, RU-4MW, RU-4MX, RU-4MY, RU-4MZ, RU-4NA, RU-4NB, RU-4NC, RU-4ND, RU-4NE, RU-4NF, RU-4NG, RU-4NH, RU-4NI, RU-4NJ, RU-4NK, RU-4NL, RU-4NM, RU-4NN, RU-4NO, RU-4NP, RU-4NQ, RU-4NR, RU-4NS, RU-4NT, RU-4NU, RU-4NV, RU-4NW, RU-4NX, RU-4NY, RU-4NZ, RU-4OA, RU-4OB, RU-4OC, RU-4OD, RU-4OE, RU-4OF, RU-4OG, RU-4OH, RU-4OI, RU-4OJ, RU-4OK, RU-4OL, RU-4OM, RU-4ON, RU-4OO, RU-4OP, RU-4OQ, RU-4OR, RU-4OS, RU-4OT, RU-4OU, RU-4OV, RU-4OW, RU-4OX, RU-4OY, RU-4OZ, RU-4PA, RU-4PB, RU-4PC, RU-4PD, RU-4PE, RU-4PF, RU-4PG, RU-4PH, RU-4PI, RU-4PJ, RU-4PK, RU-4PL, RU-4PM, RU-4PN, RU-4PO, RU-4PP, RU-4PQ, RU-4PR, RU-4PS, RU-4PT, RU-4PU, RU-4PV, RU-4PW, RU-4PX, RU-4PY, RU-4PZ, RU-4QA, RU-4QB, RU-4QC, RU-4QD, RU-4QE, RU-4QF, RU-4QG, RU-4QH, RU-4QI, RU-4QJ, RU-4QK, RU-4QL, RU-4QM, RU-4QN, RU-4QO, RU-4QP, RU-4QQ, RU-4QR, RU-4QS, RU-4QT, RU-4QU, RU-4QV, RU-4QW, RU-4QX, RU-4QY, RU-4QZ, RU-4RA, RU-4RB, RU-4RC, RU-4RD, RU-4RE, RU-4RF, RU-4RG, RU-4RH, RU-4RI, RU-4RJ, RU-4RK, RU-4RL, RU-4RM, RU-4RN, RU-4RO, RU-4RP, RU-4RQ, RU-4RR, RU-4RS, RU-4RT, RU-4RU, RU-4RV, RU-4RW, RU-4RX, RU-4RY, RU-4RZ, RU-4SA, RU-4SB, RU-4SC, RU-4SD, RU-4SE, RU-4SF, RU-4SG, RU-4SH, RU-4SI, RU-4SJ, RU-4SK, RU-4SL, RU-4SM, RU-4SN, RU-4SO, RU-4SP, RU-4SQ, RU-4SR, RU-4SS, RU-4ST, RU-4SU, RU-4SV, RU-4SW, RU-4SX, RU-4SY, RU-4SZ, RU-4TA, RU-4TB, RU-4TC, RU-4TD, RU-4TE, RU-4TF, RU-4TG, RU-4TH, RU-4TI, RU-4TJ, RU-4TK, RU-4TL, RU-4TM, RU-4TN, RU-4TO, RU-4TP, RU-4TQ, RU-4TR, RU-4TS, RU-4TT, RU-4TU, RU-4TV, RU-4TW, RU-4TX, RU-4TY, RU-4TZ, RU-4UA, RU-4UB, RU-4UC, RU-4UD, RU-4UE, RU-4UF, RU-4UG, RU-4UH, RU-4UI, RU-4UJ, RU-4UK, RU-4UL, RU-4UM, RU-4UN, RU-4UO, RU-4UP, RU-4UQ, RU-4UR, RU-4US, RU-4UT, RU-4UU, RU-4UV, RU-4UW, RU-4UX, RU-4UY, RU-4UZ, RU-4VA, RU-4VB, RU-4VC, RU-4VD, RU-4VE, RU-4VF, RU-4VG, RU-4VH, RU-4VI, RU-4VJ, RU-4VK, RU-4VL, RU-4VM, RU-4VN, RU-4VO, RU-4VP, RU-4VQ, RU-4VR, RU-4VS, RU-4VT, RU-4VU, RU-4VV, RU-4VW, RU-4VX, RU-4VY, RU-4VZ, RU-4WA, RU-4WB, RU-4WC, RU-4WD, RU-4WE, RU-4WF, RU-4WG, RU-4WH, RU-4WI, RU-4WJ, RU-4WK, 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- Private schools are permitted on properties zoned RU-3, RU-3A, RU-3B, RU-4, RU-4A, RU-4B, RU-4C, RU-4D, RU-4E, RU-4F, RU-4G, RU-4H, RU-4I, RU-4J, RU-4K, RU-4L, RU-4M, RU-4N, RU-4O, RU-4P, RU-4Q, RU-4R, RU-4S, RU-4T, RU-4U, RU-4V, RU-4W, RU-4X, RU-4Y, RU-4Z, RU-4AA, RU-4AB, RU-4AC, RU-4AD, RU-4AE, RU-4AF, RU-4AG, RU-4AH, RU-4AI, RU-4AJ, RU-4AK, RU-4AL, RU-4AM, RU-4AN, RU-4AO, RU-4AP, RU-4AQ, RU-4AR, RU-4AS, RU-4AT, RU-4AU, RU-4AV, RU-4AW, RU-4AX, RU-4AY, RU-4AZ, RU-4BA, RU-4BB, RU-4BC, RU-4BD, RU-4BE, RU-4BF, RU-4BG, RU-4BH, RU-4BI, RU-4BJ, RU-4BK, RU-4BL, RU-4BM, RU-4BN, RU-4BO, RU-4BP, RU-4BQ, RU-4BR, RU-4BS, RU-4BT, RU-4BU, RU-4BV, RU-4BW, RU-4BX, RU-4BY, RU-4BZ, RU-4CA, RU-4CB, RU-4CC, RU-4CD, RU-4CE, RU-4CF, RU-4CG, RU-4CH, RU-4CI, RU-4CJ, RU-4CK, RU-4CL, RU-4CM, RU-4CN, RU-4CO, RU-4CP, RU-4CQ, RU-4CR, RU-4CS, RU-4CT, RU-4CU, RU-4CV, RU-4CW, RU-4CX, RU-4CY, RU-4CZ, RU-4DA, RU-4DB, RU-4DC, RU-4DD, RU-4DE, RU-4DF, RU-4DG, RU-4DH, RU-4DI, RU-4DJ, RU-4DK, RU-4DL, RU-4DM, RU-4DN, 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RU-4IJ, RU-4IK, RU-4IL, RU-4IM, RU-4IN, RU-4IO, RU-4IP, RU-4IQ, RU-4IR, RU-4IS, RU-4IT, RU-4IU, RU-4IV, RU-4IW, RU-4IX, RU-4IY, RU-4IZ, RU-4JA, RU-4JB, RU-4JC, RU-4JD, RU-4JE, RU-4JF, RU-4JG, RU-4JH, RU-4JI, RU-4JJ, RU-4JK, RU-4JL, RU-4JM, RU-4JN, RU-4JO, RU-4JP, RU-4JQ, RU-4JR, RU-4JS, RU-4JT, RU-4JU, RU-4JV, RU-4JW, RU-4JX, RU-4JY, RU-4JZ, RU-4KA, RU-4KB, RU-4KC, RU-4KD, RU-4KE, RU-4KF, RU-4KG, RU-4KH, RU-4KI, RU-4KJ, RU-4KL, RU-4KM, RU-4KN, RU-4KO, RU-4KP, RU-4KQ, RU-4KR, RU-4KS, RU-4KT, RU-4KU, RU-4KV, RU-4KW, RU-4KX, RU-4KY, RU-4KZ, RU-4LA, RU-4LB, RU-4LC, RU-4LD, RU-4LE, RU-4LF, RU-4LG, RU-4LH, RU-4LI, RU-4LJ, RU-4LK, RU-4LL, RU-4LM, RU-4LN, RU-4LO, RU-4LP, RU-4LQ, RU-4LR, RU-4LS, RU-4LT, RU-4LU, RU-4LV, RU-4LW, RU-4LX, RU-4LY, RU-4LZ, RU-4MA, RU-4MB, RU-4MC, RU-4MD, RU-4ME, RU-4MF, RU-4MG, RU-4MH, RU-4MI, RU-4MJ, RU-4MK, RU-4ML, RU-4MM, RU-4MN, RU-4MO, RU-4MP, RU-4MQ, RU-4MR, RU-4MS, RU-4MT, RU-4MU, RU-4MV, RU-4MW, RU-4MX, RU-4MY, RU-4MZ, RU-4NA, RU-4NB, RU-4NC, RU-4ND, RU-4NE, 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RU-4SA, RU-4SB, RU-4SC, RU-4SD, RU-4SE, RU-4SF, RU-4SG, RU-4SH, RU-4SI, RU-4SJ, RU-4SK, RU-4SL, RU-4SM, RU-4SN, RU-4SO, RU-4SP, RU-4SQ, RU-4SR, RU-4SS, RU-4ST, RU-4SU, RU-4SV, RU-4SW, RU-4SX, RU-4SY, RU-4SZ, RU-4TA, RU-4TB, RU-4TC, RU-4TD, RU-4TE, RU-4TF, RU-4TG, RU-4TH, RU-4TI, RU-4TJ, RU-4TK, RU-4TL, RU-4TM, RU-4TN, RU-4TO, RU-4TP, RU-4TQ, RU-4TR, RU-4TS, RU-4TT, RU-4TU, RU-4TV, RU-4TW, RU-4TX, RU-4TY, RU-4TZ, RU-4UA, RU-4UB, RU-4UC, RU-4UD, RU-4UE, RU-4UF, RU-4UG, RU-4UH, RU-4UI, RU-4UJ, RU-4UK, RU-4UL, RU-4UM, RU-4UN, RU-4UO, RU-4UP, RU-4UQ, RU-4UR, RU-4US, RU-4UT, RU-4UU, RU-4UV, RU-4UW, RU-4UX, RU-4UY, RU-4UZ, RU-4VA, RU-4VB, RU-4VC, RU-4VD, RU-4VE, RU-4VF, RU-4VG, RU-4VH, RU-4VI, RU-4VJ, RU-4VK, RU-4VL, RU-4VM, RU-4VN, RU-4VO, RU-4VP, RU-4VQ, RU-4VR, RU-4VS, RU-4VT, RU-4VU, RU-4VV, RU-4VW, RU-4VX, RU-4VY, RU-4VZ, RU-4WA, RU-4WB, RU-4WC, RU-4WD, RU-4WE, RU-4WF, RU-4WG, RU-4WH, RU-4WI, RU-4WJ, RU-4WK, RU-4WL, RU-4WM, RU-4WN, RU-4WO, RU-4WP, RU-4WQ, RU-4WR, RU-4WS, RU-4WT, RU-4WU, RU-4WV, RU-4WW, RU-4WX, RU-4WY, RU-4WZ, RU-4XA, RU-4XB, RU-4XC, RU-4XD, RU-4XE, RU-4XF, RU-4XG, RU-4XH, RU-4XI, RU-4XJ, RU-4XK, RU-4XL, RU-4XM, RU-4XN, RU-4XO, RU-4XP, RU-4XQ, RU-4XR, RU-4XS, RU-4XT, RU-4XU, RU-4XV, RU-4XW, RU-4XX, RU-4XY, RU-4XZ, RU-4YA, RU-4YB, RU-4YC, RU-4YD, RU-4YE, RU-4YF, RU-4YG, RU-4YH, RU-4YI, RU-4YJ, RU-4YK, RU-4YL, RU-4YM, RU-4YN, RU-4YO, RU-4YP, RU-4YQ, RU-4YR, RU-4YS, RU-4YT, RU-4YU, RU-4YV, RU-4YW, RU-4YX, RU-4YY, RU-4YZ, RU-4ZA, RU-4ZB, RU-4ZC, RU-4ZD, RU-4ZE, RU-4ZF, RU-4ZG, RU-4ZH, RU-4ZI, RU-4ZJ, RU-4ZK, RU-4ZL, RU-4ZM, RU-4ZN, RU-4ZO, RU-4ZP, RU-4ZQ, RU-4ZR, RU-4ZS, RU-4ZT, RU-4ZU, RU-4ZV, RU-4ZW, RU-4ZX, RU-4ZY, RU-4ZZ.
- Submit one set of folded plans and 1 C.D. (PDF Format) containing an identical set of plans for zoning hearing review, including:
  - Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and automobile stacking.
  - Floor plans identifying classroom area(s) - dimensioned (note: an architect or engineer must seal the plans for 50 or more children).
  - Completed Child Care Checklist (attached).
  - Landscape plan, Landscape Legend and Certification of Compliance with Chapter 18A (Landscape Code).
- Day care centers may require a traffic analysis. Contact Harvey Bernstein at the Public Works Department at 305-375-1874 for more information.

**DEFINITIONS**

Day Nursery	Children for infants and children up to the age of six (6).
Kindergarten	Children and preschool programs for children ages four (4) through six (6).
After-School Care	Children and recreation for children above the age of five (5) when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacation.
Babysitting Service for Shoppers	Children for limited time periods (maximum three (3) hours) provided within a shopping center solely for the convenience of the patrons, and limited to not more than forty (40) children at any one time.
College or University	An institution of higher learning beyond the high school level.
Family Day Care	Children and recreation with a maximum of five (5) children including the day care operator's own children.
Private School	This term as used herein refers to any private institution providing children and/or instruction at any level from infants through the college level.
Elementary, Junior, and/or Senior High	Reference to these schools are to be broadly interpreted to encompass any schools, graded or ungraded, whose students are within the age ranges typically found at these school levels.
Child, Student, Pupil	The terms "child", "student", or "pupil" and their plural are used interchangeably.

- Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School
- School Name: HIGHER LEARNING EDUCATIONAL CENTER  
School Address: 3000 N.W. 14th Avenue, Suite 100, Miami, FL 33125 Tax File # 30-4910-003-0000
- Is this an expansion to an existing school? Yes ☐ No ☒ If yes, indicate the number of students 0 and age and grade ranges originally approved: None
  - Total size of site: 42,696 sq. ft. / 43,560 sq. ft. = 0.98 acres
  - Number of children or students requested: 200 Ages: Infants: 0 2-2nd Grade: 0
  - Number of teachers: 15 Number of administrative & clerical personnel: 8
  - Number of classrooms: 11 Total square footage of classroom area: 7,062 sq. ft.
  - Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 5,088 sq. ft. - Includes Stairs and Elevator
  - Amount of outdoor recreation/play area in square footage: 11,250 sq. ft.  
NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18g.
  - Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2
  - Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided: 35 (See §33-124.1) + 20 additional
  - Indicate the number of auto stacking spaces: 5 provided 5 required.
  - Proposed height for the structure(s): 30'-0" See §33-151.18g.
  - Size of identification sign: 6" x 18" x 18" sq. ft. (See §33-151.18g).  
Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
  - Days and hours of operation: Infants: 9:00 a.m. - 5:00 p.m. / 2nd-2nd Grade: 8:00 a.m. - 3:00 p.m.
  - Does the subject facility share the site with other facilities? Yes ☒ No ☐ If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16.
  - If the school will include residential uses, do such uses meet the standards provided in §33-151.17? Yes ☐ No ☒ If yes, describe the residential uses and indicate same on the plans. See §33-151.17.

- PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.**
- The following information will determine the maximum number of children permitted at the facility: WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.
- CLASSROOM SPACE:** Calculated by grade levels.
- Day Nursery/Kindergarten, preschool and after-school care:  
 $35 \text{ sq. ft.} \times 180 \text{ (number of children)} = 6,300 \text{ sq. ft.}$  if classroom area required
  - Elementary Grades 1-6:  
 $30 \text{ sq. ft.} \times 40 \text{ (number of children)} = 1,200 \text{ sq. ft.}$  if classroom area required
  - Junior High and Senior High Schools (Grades 7-12):  
 $25 \text{ sq. ft.} \times 9 \text{ (number of children)} = 225 \text{ sq. ft.}$  if classroom area required.
- TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 6,300 sq. ft.  
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 7,062 sq. ft.
- OUTDOOR RECREATION SPACE:**
- Day Nursery/Kindergarten, preschool and after-school care:  
 $45 \text{ sq. ft.} \times 80 \text{ (1/4 of children)} = 3,600 \text{ sq. ft.}$
  - Grades 1-6:  
 $500 \text{ sq. ft.} \times 30 \text{ (first 30 children)} = 15,000 \text{ sq. ft.}$   
 $300 \text{ sq. ft.} \times 10 \text{ (remaining children)} = 3,000 \text{ sq. ft.}$
  - Grades 7-12:  
 $800 \text{ sq. ft.} \times 3 \text{ (first 30 children)} = 2,400 \text{ sq. ft.}$   
 $300 \text{ sq. ft.} \times 6 \text{ (next 30 children)} = 1,800 \text{ sq. ft.}$   
 $150 \text{ sq. ft.} \times \text{ (remaining children)} = \text{_____}$
- TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 21,800 sq. ft.  
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 11,250 sq. ft.
- TREES:** See §33-151.18g, and the Planning Division (17th Floor) for additional requirements.
- 25 trees are required per net acre. Trees required: 44.8 Trees provided: 48
  - Ten shrubs are required for each tree required. Shrubs required: 448 Shrubs provided: 500
  - Grass area for organized sports/play area in square feet: 11,250 sq. ft. (See §33-151.18g)
  - Lawn area in square feet (exclusive of organized sports/play area): 6,622 sq. ft.

**CHILD CARE CHECKLIST**

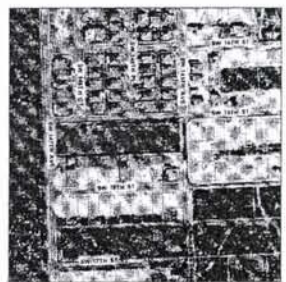
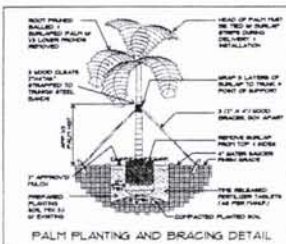
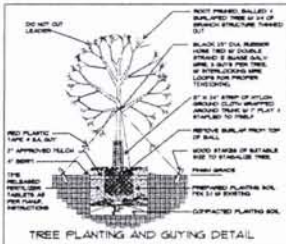
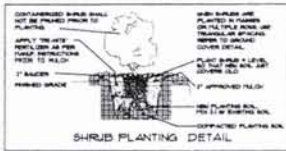
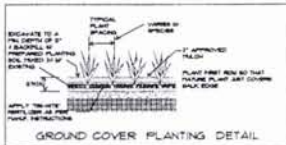
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

**HIGHER LEARNING EDUCATIONAL CENTER**  
AND  
**6 RESIDENTIAL LOTS**  
FOLD # 30-4910-003-0000  
VACANT LAND ON SW 15th STREET AND 17th AVENUE

**VILLA & ASSOCIATES INC.**  
ARCHITECTURE - PLANNING - INTERIOR DESIGN  
7544 SW 48 STREET - MIAMI, FL 33156 - (305) 980-8991  
CONSULTANT

DATE: 08-08-12 SCALE: 1" = 1'  
DATE SUBMITTED FOR REVIEW: \_\_\_\_\_  
DRAWING NO.: A-2 OF 7

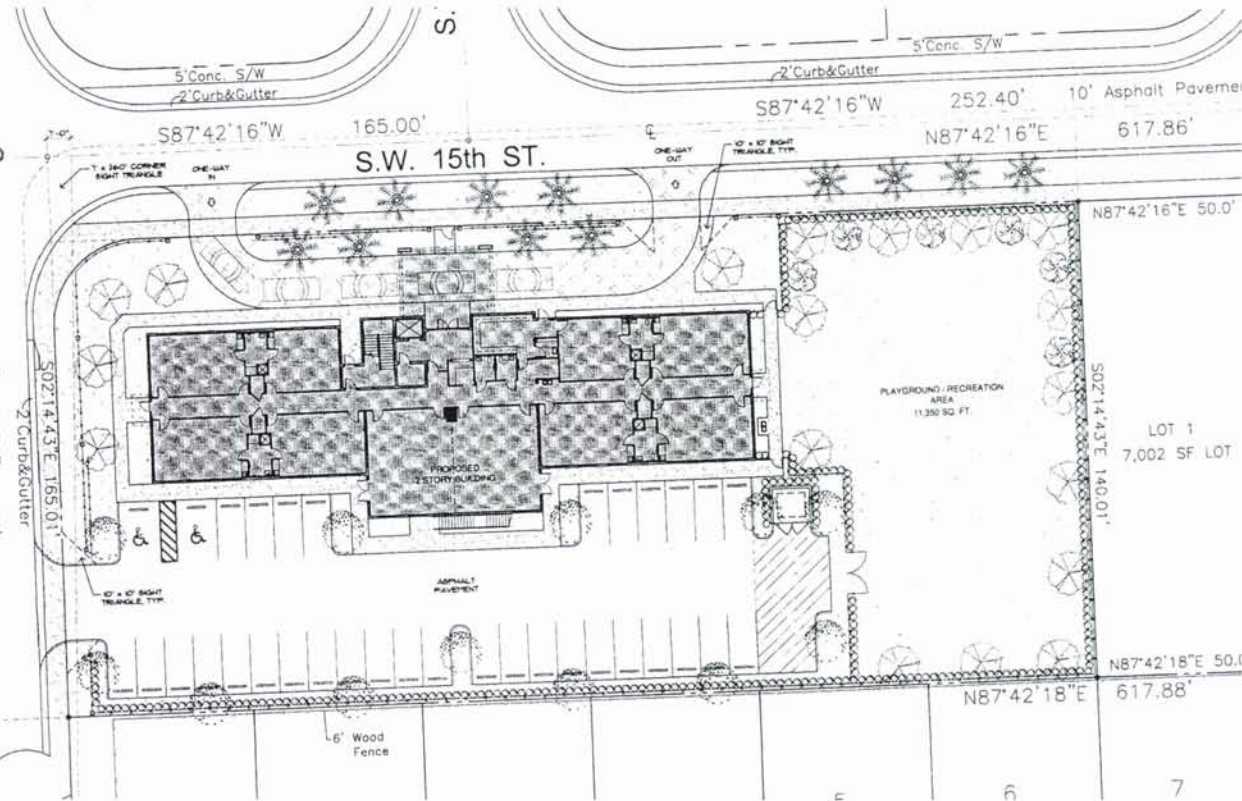




West line of Section 10-54S-39E

502'14.43"E 164'98"

24' Asphalt Pavement  
S.W. 147th AVE.



NOTE:  
TREES PLANTED 7' FROM THE RIGHT OF WAY CAN  
BE COUNTED TOWARD THE STREET TREE REQUIREMENT.

### LANDSCAPE SCHEDULE

KEY	COMMON NAME	BOTANICAL NAME	HEIGHT AT PLANTING	NATURAL HEIGHT RANGE	NATIVE	QUANTITY
A	LIVE OAK	QUERCUS VIRGINIANA	14" (2.5" CALIPER) AT PLANTING	40' TO 50'	YES	16
B	PIGEON PLUM	COCCOLoba diversifolia	12" (2" CALIPER) AT PLANTING	20' TO 25'	YES	6
C	SILVER BUTTERNUT	CONGOCARPUS ERECTUS	12" (2" CALIPER) AT PLANTING	10' TO 15'	YES	12
D	ROYAL PALM	ROYSTONIA ELATA	15' AT PLANTING	40' TO 60'	YES	12
F	RED-TIP COCOPLUM	CHRYSOBALANUS ICAGO VAR. PELLICARPUS	36" H. & 24" D/C AT PLANTING	6'	YES	500

# Landscape contractor shall provide irrigation system for all landscape areas.  
Provide Shop Drawing Plans for approval.  
# PERIMETER HEDGE SHALL BE KEPT AT A MAXIMUM 6' IN HEIGHT ONCE MATURE

### LANDSCAPE LEGEND

Zoning District: R-1-100 Net Lot Area: 0.96 acres 42,674 s.f.

OPEN SPACE  
A. Square feet of open space required by Chapter 33, as indicated on site plan  
Net lot area = 42,674 square feet = 25.2 = 10,674 s.f.  
B. Square feet of parking lot open space required by Chapter 33, as indicated on site plan.  
The number of parking spaces = 360 = 10 square feet per parking space = 3,600 s.f.  
C. Total square feet of landscaped open space required by Chapter 33 = A + B = 14,274 s.f.  
LAWN AREA CALCULATION  
A. Total square feet of landscaped open space required by Chapter 33 = 14,274 square feet  
B. Maximum lawn area (1% August 2001) permitted = 42,674 x .01 = 426.74 square feet = 4,620 s.f.  
TREES  
A. The number of trees required per net lot acre = 20 TREES PER NET ACRE  
= 20 trees x 0.96 net lot acreage = 19.2 TREES  
B. Street trees (max. average spacing of 35' each) linear feet along street = 127  
C. Parking lot trees (1 per 80 s.f. of parking landscape area) 360 s.f. / 80 = 4.5 trees  
D. Total number of trees required & provided = 45  
E. 30 x palm trees sloped = 10 Royal Palms provided = 10 TREES = 25.2  
F. Percentage of native trees required = the number of trees provided 45 x 30 = 14.4

SHRUBS  
A. The total number of trees required 44.6 x 10 = 446 required shrubs  
B. Percentage of native shrubs required = 30% of native shrubs required  
= 133.8 or 134 shrubs provided  
C. Total number of shrubs required & provided = 134 shrubs provided = 134 shrubs provided for all landscape areas.

REQUIRE	PROVIDED
10,674 s.f.	10,674 s.f.
3,600 s.f.	3,600 s.f.
14,274 s.f.	14,274 s.f.
4,620 s.f.	4,620 s.f.
19.2 TREES	45 TREES
127	127
4.5	4.5
45	45
25.2	25.2
134	134

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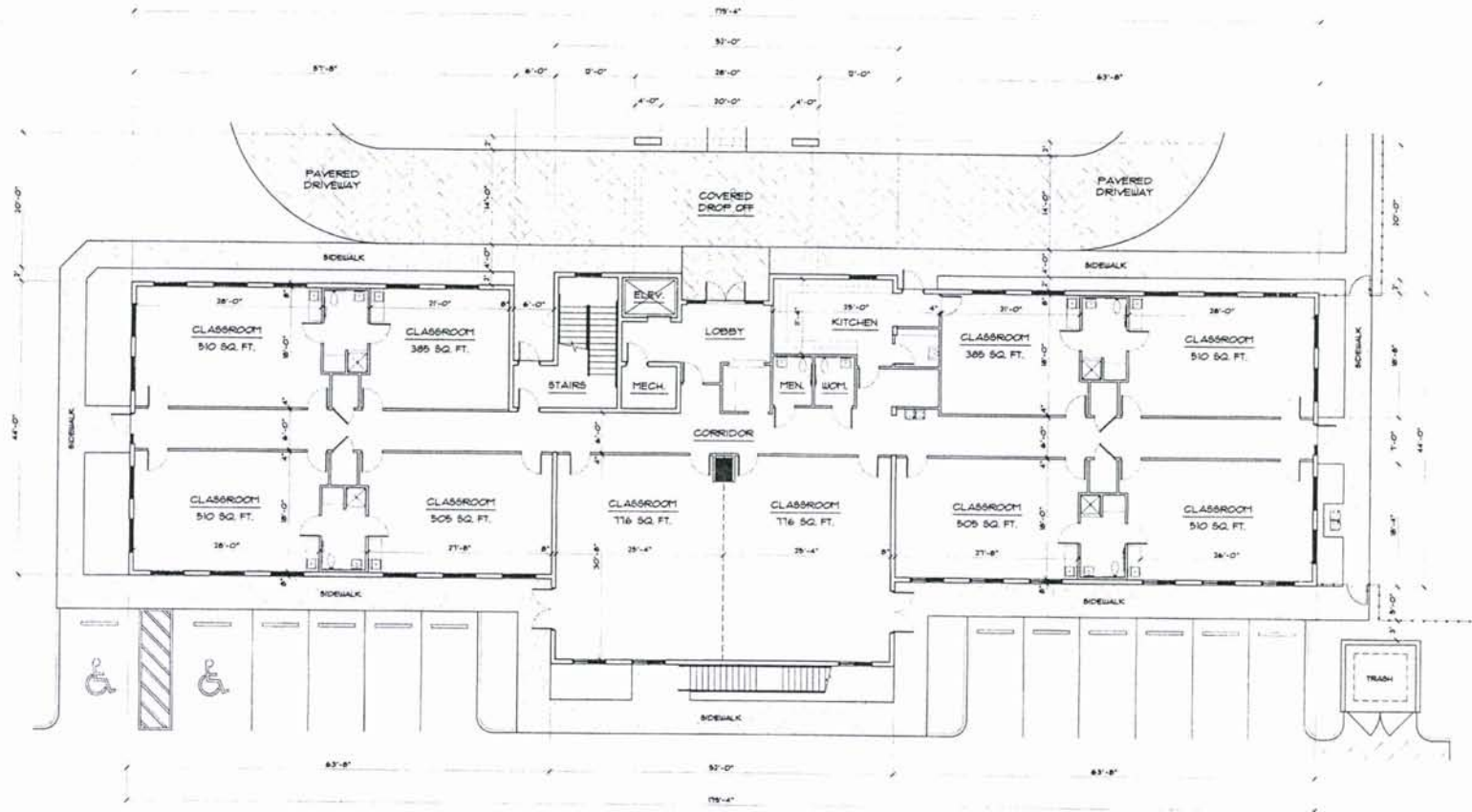
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

HIGHER LEARNING EDUCATIONAL CENTER  
AND  
8 RESIDENTIAL LOTS  
FOLIO # 30-490-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

VILLA & ASSOCIATES INC.  
ARCHITECTURE  
PLANNING  
DESIGN  
1000 SW 15th STREET  
SUITE 100  
MIAMI, FL 33135  
305.555.1111



DATE: 08-08-12 SCALE: 1/8" = 1'-0"  
DATE SUBMITTED FOR REVIEW: [Blank]  
DRAWING NO.: L-1 OF 1



PROPOSED FIRST FLOOR PLAN — 1/8" = 1'-0"  
9,090 SQ. FT.

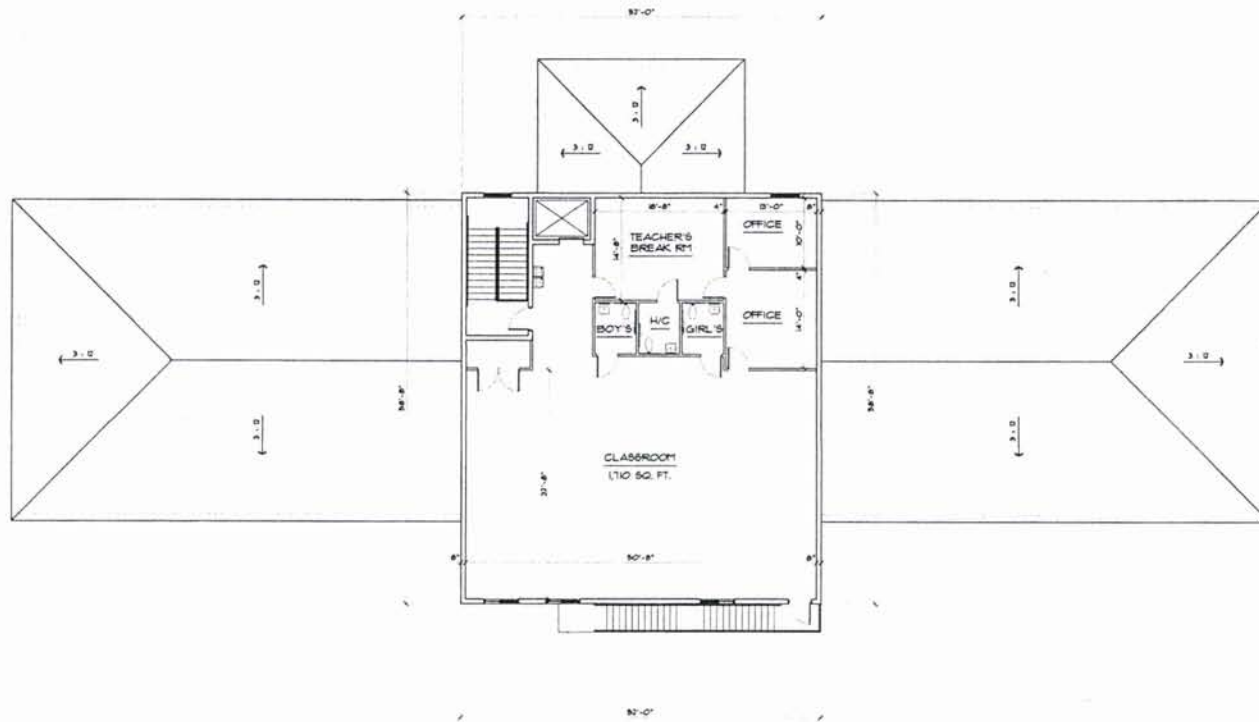
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MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

<b>HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS</b> FOLIO # 30-490-003-0050 VACANT LAND ON SW 15TH STREET AND 14TH AVENUE	
CONSULTANT: <b>VILLA &amp; ASSOCIATES INC.</b> ARCHITECTURE 7344 SW 48 STREET MIAMI, FL 33155 (305) 861-8981	PREPARED BY: [Signature] DATE: 08-06-12 SCALE: 1/8" = 1'-0" DATE SUBMITTED FOR REVIEW: [Signature] DRAWING NO.: A-4 of 7

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PLANNING & ZONING  
DIVISION  
DATE: AUG 13 2012  
BY: JER



PROPOSED SECOND FLOOR PLAN — 1/8" = 1'-0"  
3,051 SQ. FT.

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AUG 13 2012

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<p>REVISIONS:</p>	
<p>HIGHER LEARNING EDUCATIONAL CENTER AND 6 RESIDENTIAL LOTS FOLIO # 30-490-003-0050 VACANT LAND ON SW 15th STREET AND 147th AVENUE</p>	
<p>Computer Name ALAN2008</p>	<p>Architectural Seal JOHN L. VILLARDO REGISTERED ARCHITECT NO. 12023</p>
<p><b>VILLA &amp; ASSOCIATES INC.</b> ARCHITECTURE 7944 SW 48 STREET MIAMI, FL 33156 (305) 897-8981</p>	
<p><b>VA</b></p>	
<p>DATE: 08-08-12</p>	<p>SCALE: 1/8"</p>
<p>DATE SUBMITTED FOR REVIEW</p>	
<p>DRAWING NO: A-5 of 7</p>	

34



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BY: *AA*



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



SIDE ELEVATION (WEST) ——— 1/8" = 1'-0"



FRONT ELEVATION (NORTH) ——— 1/8" = 1'-0"



REAR ELEVATION (SOUTH) ——— 1/8" = 1'-0"

REVISIONS:


HIGHER LEARNING EDUCATIONAL CENTER  
AND  
8 RESIDENTIAL LOTS  
FOLIO # 30-4970-003-0050  
VACANT LAND ON SW 15th STREET AND 147th AVENUE

Consulting License  
#A40003333  
Architectural Firm  
#A40003333  
JAMES L. VILLASANO  
2012 AUGUST 15

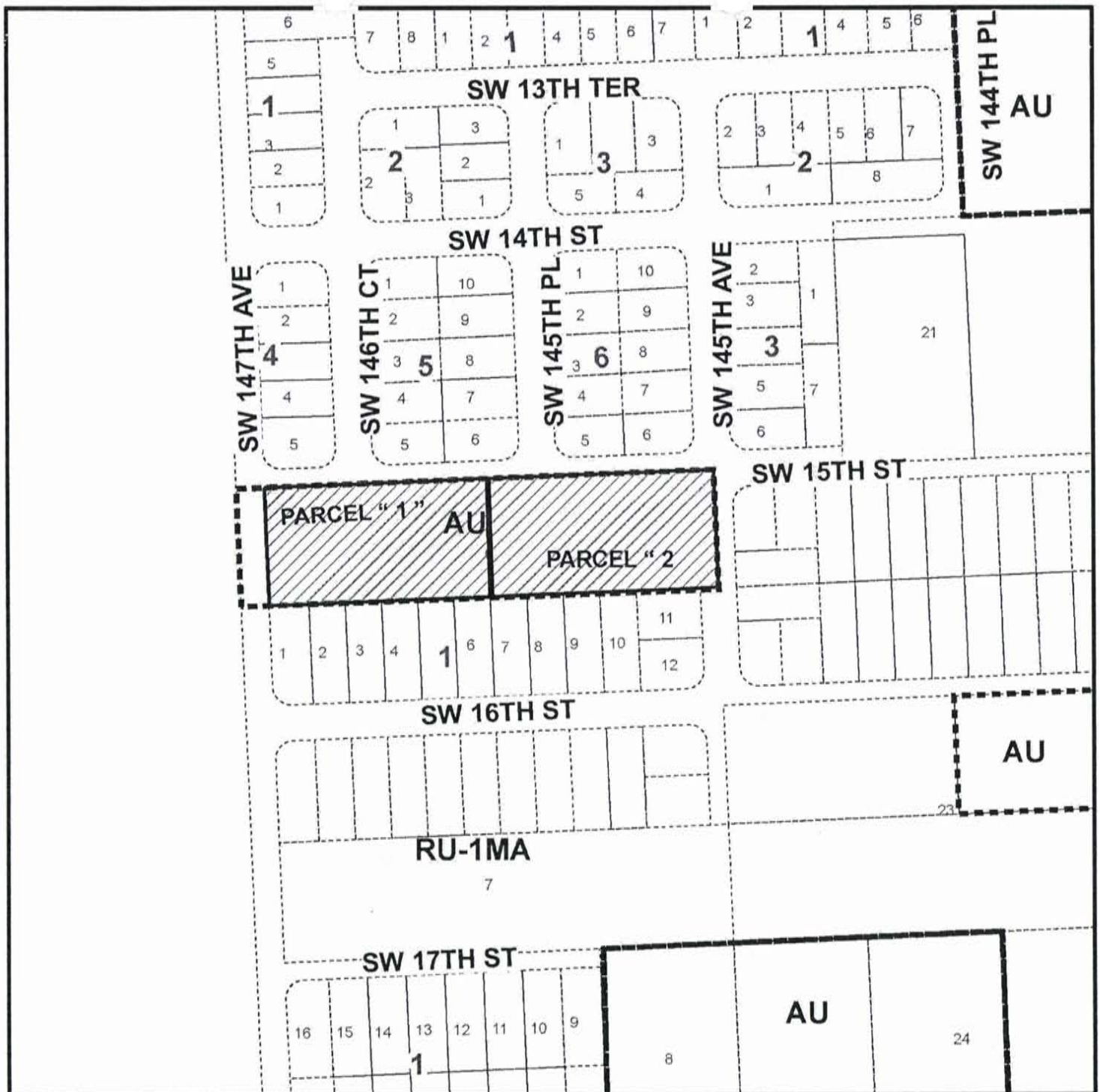
**VILLA & ASSOCIATES INC.**  
ARCHITECTURE  
7344 SW 48 STREET  
MIAMI, FL 33150  
CONSULTANT



DATE: 08-08-12 SCALE: 1/8" = 1'-0"  
DATE SUBMITTED FOR REVIEW: 08-08-12  
DRAWING NO: A-7 OF 7

35







**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

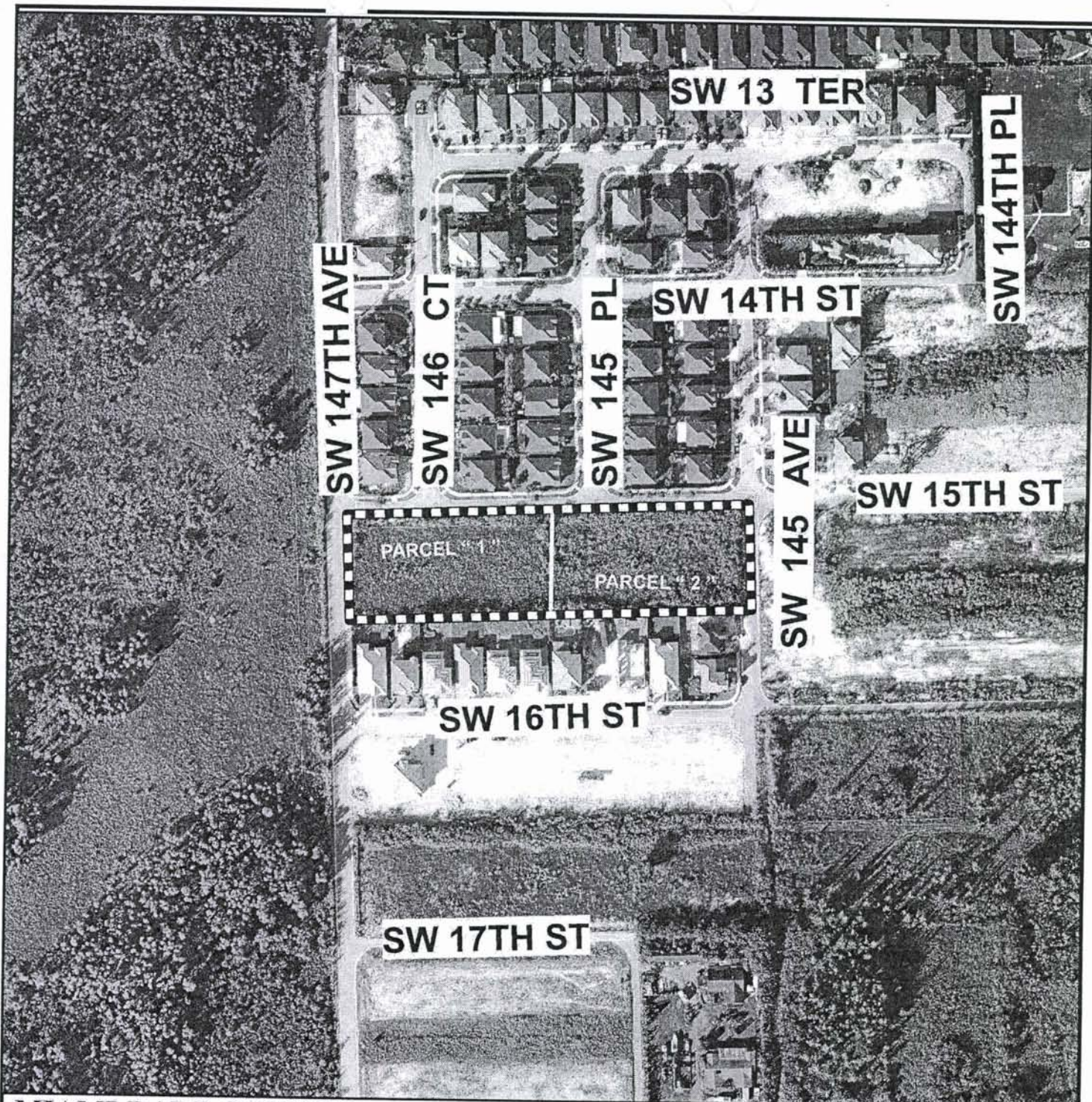
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		36

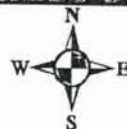




**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend



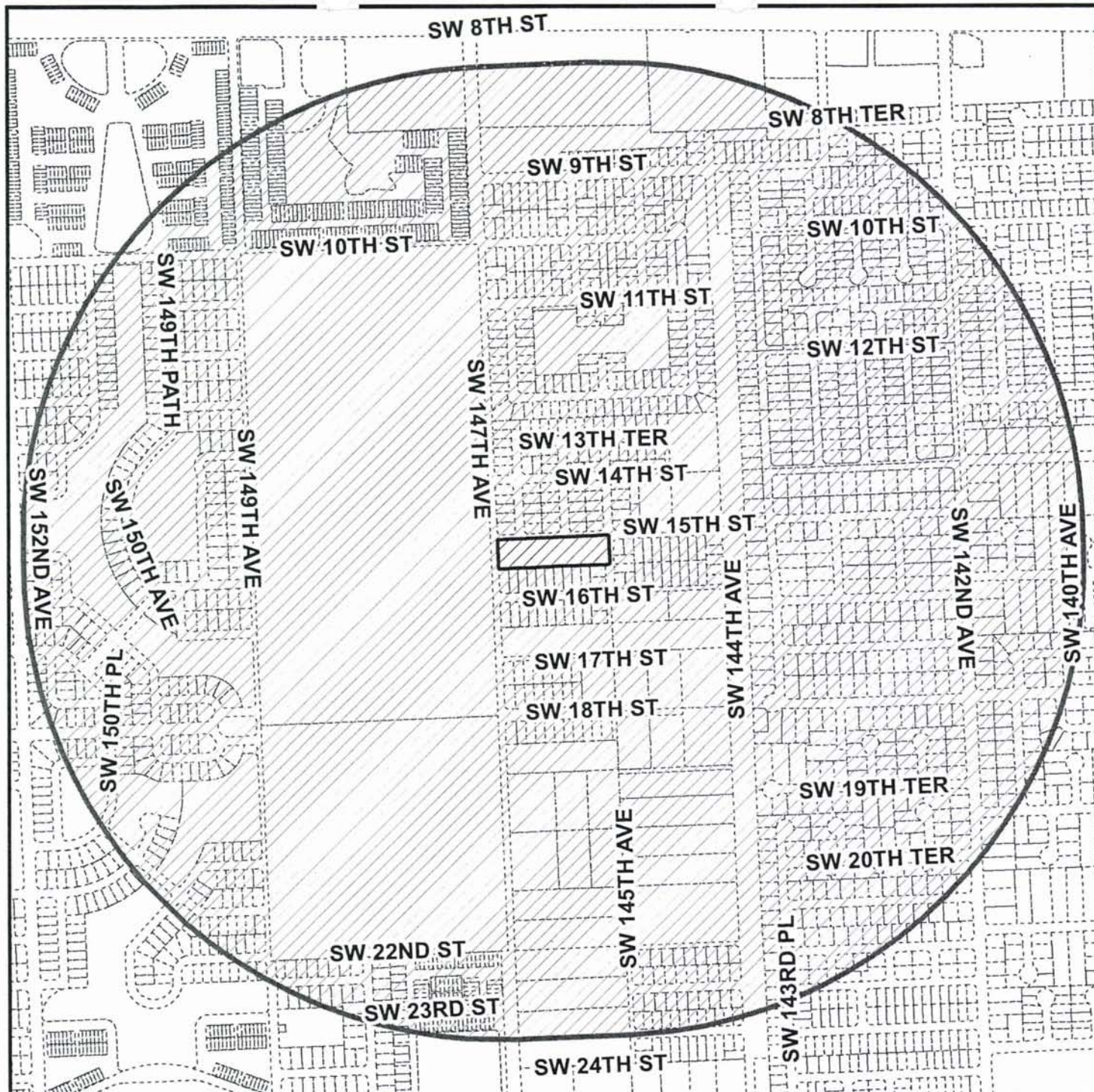
Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		37





**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS



Process Number

**Z2012000085**

RADIUS: 2640



**Legend**

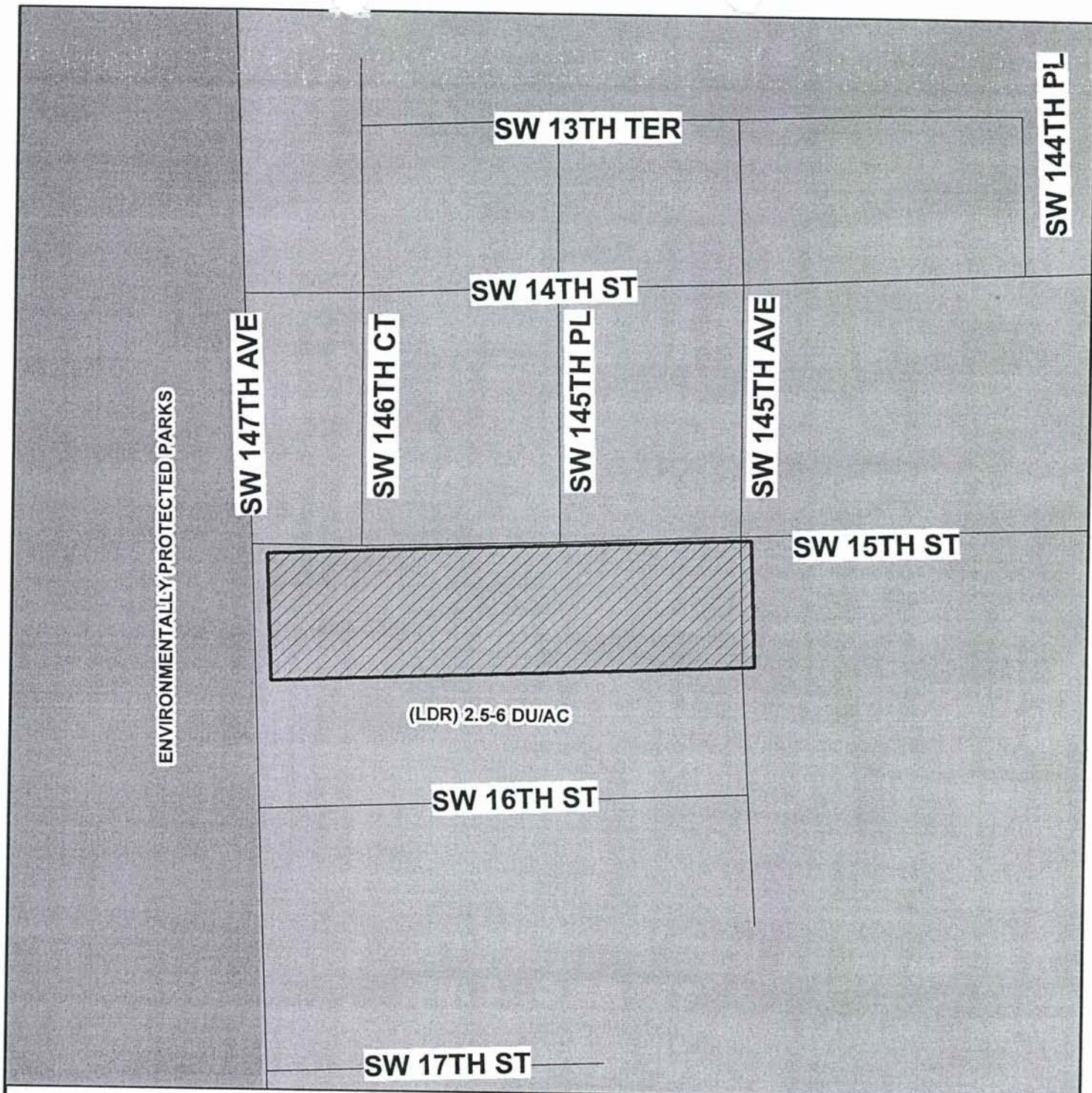
-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY
		38





**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number

**Z2012000085**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS



**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY



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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

AK

New Horizon  
Higher Learning  
Educational Center



New Horizons Preschool

Traffic Operations Plan

August 21<sup>th</sup>, 2012



## Introduction

Based on the traffic study prepared by Richard Garcia & Associates, Inc. we have prepared a Traffic Operations Plan (TOP) for the proposed school located on the southeast corner of SW 147<sup>th</sup> Avenue and SW 15<sup>th</sup> Street in Miami-Dade County, Florida. This TOP has been prepared to address the operations of the school, the school arrival and dismissal schedule, vehicular pick-up/drop-off queuing route and operations, allocation of parking on site, and provision of accommodations for pedestrians. The information provided in this summary is based upon the requirements listed by Miami-Dade County Public Works and Waste Management Department (MDCPWWD).

## School Operations

### Proposed Operational Plan

Hours of Operation							
Arrival Time		Grades	Students	Dismissal Time		Grades	Students
1st	8:00 AM	DC, PK	120	1st	2:30 PM	K - 2nd	80
2nd	8:30 AM	K - 2nd	80	2nd	3:00 PM	DC, PK	120
		Total	200			Total	200
Notes: * DC = Daycare * PK = Pre Kindergarten * K = Kindergarten							

The figure above depicts the distribution of students per arrival and dismissal shifts.

### School Arrival Plan

1. The proposed school will serve daycare and grades Pre-Kindergarten through Second grade.
2. The school day will start at 8:00 AM for Daycare and Pre-K, followed by the second arrival at 8:30 AM for grades Kindergarten through Second grade.
3. All children attending school shall be drop-off by parents. In addition, parents may hire private transportation vehicles for their children.
4. The school will have its stacking/drop-off area adjacent to SW 15<sup>th</sup> Street. Vehicles will enter the drop-off/pick-up loop at the western-most entrance, utilizing the drop-off on the right of the vehicle.
5. Drop-off can also be handled by parents utilizing the marked stacking spaces which are accessible from SW 147<sup>th</sup> Avenue.
6. The school will provide staff to direct any vehicles which may stack in through lanes or non-designated parking areas in the public rights of way onto the school site. Access to onsite loading facilities shall be open a minimum of 45 minutes prior to all arrival time(s). In addition, staff will assist with drop-off and assures no parking takes place in the drop-off lane.





# New Horizons Preschool

7. The school is providing stacking capacity for 13 vehicles (i.e. 3 in stacking lane, 10 marked stacking spaces and 2 surplus parking spaces, also marked).
8. School personnel will be positioned at the end-point of the stacking lane and within the property to ensure continuous vehicular movement.
9. Visitors to the school and/or parents escorting their child to their respective classrooms will park in the assigned stacking spaces.

## School Day

1. The school day will last from 8:00 AM to 3:00 PM. The first dismissal time (outlined below) will start at 2:30PM.

## School Dismissal Plan

1. The school day will end at 2:30 PM for grades Kindergarten through Second, followed by the second dismissal at 3:00 PM for daycare and Pre-K.
2. All children shall be picked-up by parents. Also, parents may hire private transportation vehicles for their children.
3. The school will continue to utilize its stacking/pick-up area adjacent to SW 15<sup>th</sup> Street. Vehicles will enter the drop-off/pick-up loop at the western-most entrance, utilizing the pick-up on the right of the vehicle.
4. Pick-up can also be handled by parents utilizing the marked stacking spaces which are accessible from SW 147<sup>th</sup> Avenue.
5. The school will provide staff to direct any vehicles which may stack in through lanes or non-designated parking areas in the public rights of way onto the school site. Access to onsite loading facilities shall be open a minimum of 45 minutes prior to all dismissal time(s). In addition, staff will assist with pick-up and assures no parking takes place in the drop-off lane.
6. The school is providing stacking capacity for 13 vehicles (i.e. 3 in stacking lane, 10 marked stacking spaces and 2 surplus parking spaces, also marked).
7. School personnel will be positioned at the end-point of the stacking lane and within the property to ensure continuous vehicular movement.
8. Visitors to the school and/or parents picking up their child from their respective classrooms will park in the assigned stacking spaces.

## School Staffing and Parking Assignments

1. The school staff will be provided with assigned parking spaces.

## Pedestrian and Bicycle Operations

The school is providing a continuous pedestrian sidewalk around the school building and a path that connects to the sidewalk on SW 15<sup>th</sup> Street. No children will be allowed to ride bicycles to school. All students must be accompanied by a supervising adult to and from school at all times.





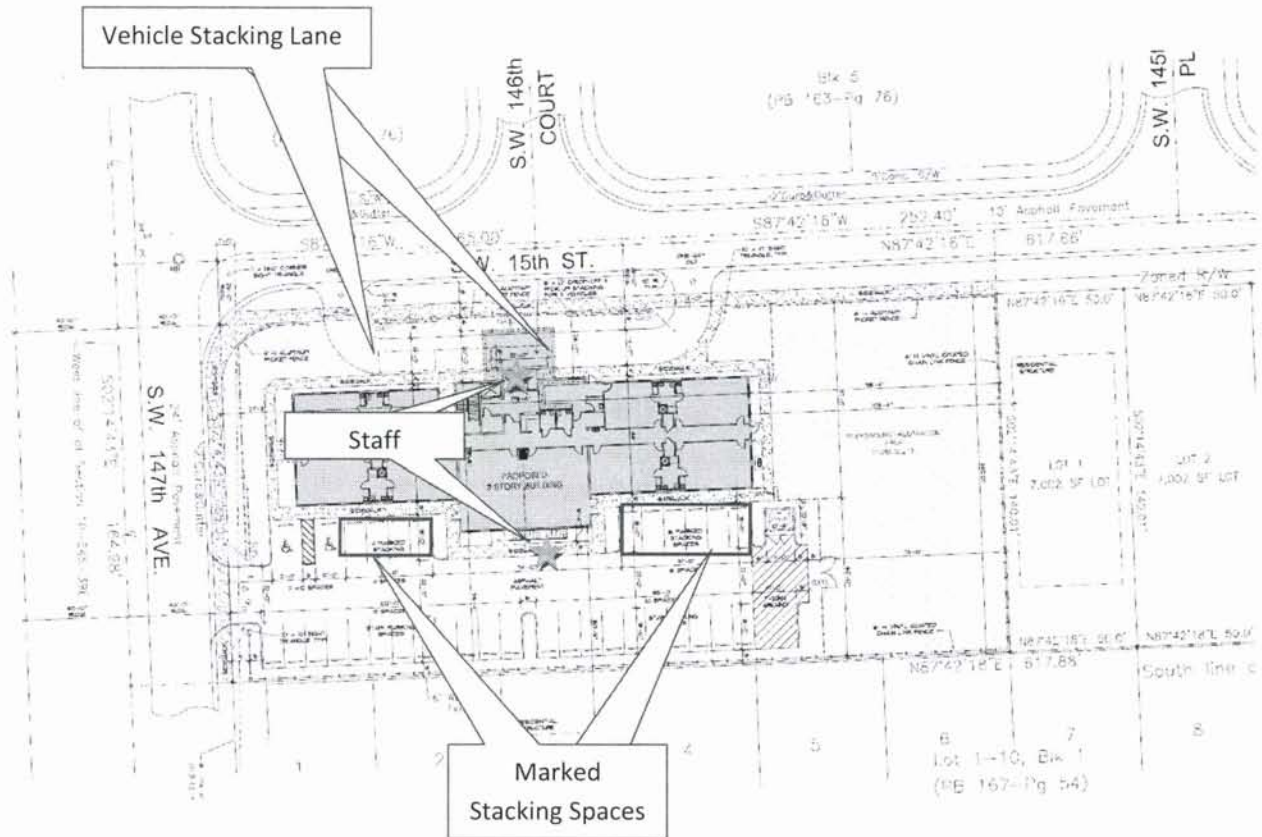


# New Horizons Preschool

## Bus Operations

The school is not providing for any school buses larger than admissible private van transportation vehicles. The admissible vans may ingress and egress at the site's driveways for either the stacking or parking areas.

## School Stacking & Parking Plan



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BY AK



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2012000085

BOARD: C10

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 13-NOV-12

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE:

PRINT NAME:

CLEVELAND THOMPSON

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2012000085

BOARD: C10

LOCATION OF SIGN: LYING SOUTH OF SW 15 STREET, BETWEEN SW 145 AVENUE & SW 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 13-NOV-12

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE:

*Cleveland Thompson*

PRINT NAME:

CLEVELAND THOMPSON



HEARING NO. 12-12-CZ10-1 (12-85)

10-54-39  
Council Area 10  
Comm. Dist. 11

APPLICANT: JULMAR 147 INVESTMENT, LLC

(1) DISTRICT BOUNDARY CHANGE from AU to RU1-MA.

REQUEST #1 ON PARCELS "1" & "2"

(2) SPECIAL EXCEPTION to permit a private school.

(3) UNUSUAL USE to permit a daycare.

(4) NON-USE VARIANCE to permit the school setback 6' (25' required) from the side street (north) property line.

(5) NON-USE VARIANCE to permit parking and within drives 25' of an official right-of-way (not permitted).

REQUESTS #2 & #5 ON PARCEL "1"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Higher Learning Educational Center and 6 Residential Lots" as prepared by Villa & Associates Inc. Sheets A-1, A-3 & L-1 dated stamped received 8/21/12 and the remaining 4 sheets dated stamped received 8/13/12 and consisting of 7 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL 1: Proposed Lot for higher Learning Educational Center. The West 305 feet of the North ½ of Tract 6, less the North 25 feet thereof, lying in Section 10, Township 54 South, Range 39 East of J.G. Heads Farms Subdivision, according to Plat Book 46, Page 44. PARCEL 2: Proposed Lot for 6 RU1-MA Lots. The North ½ of Tract 6, less the West 305 feet and less the North 25 feet thereof, lying in Section 10, Township 54 South, Range 39 East of J.G. Heads Farms Subdivision, Plat Book 46, Page 44.

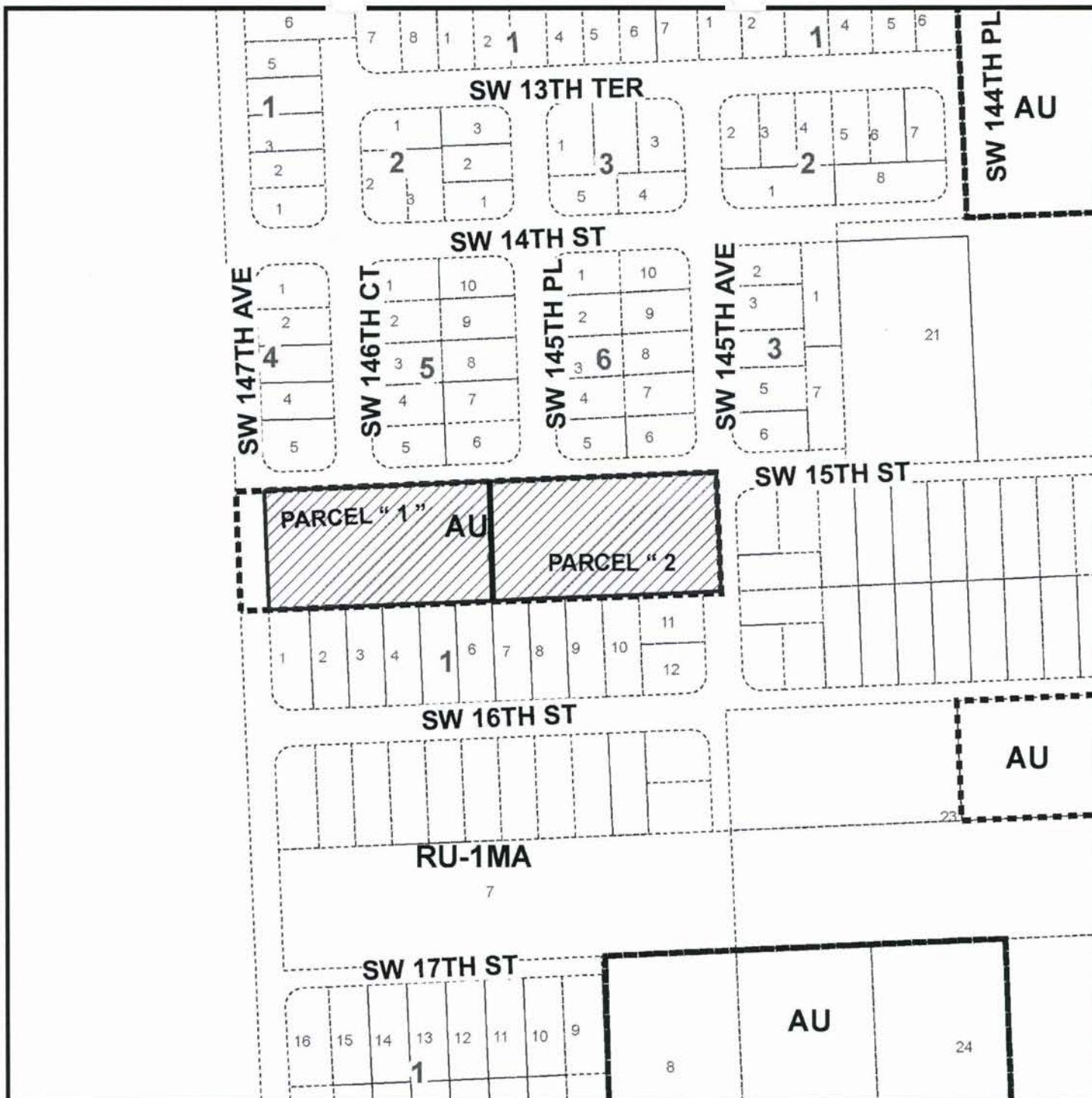
LOCATION: Lying South of SW 15 Street, between SW 145 Avenue & SW 147 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Gross Acres

AU (Agricultural)

RU1-MA (Modified Single Family 5,000 sq. ft.)

AK





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**



Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

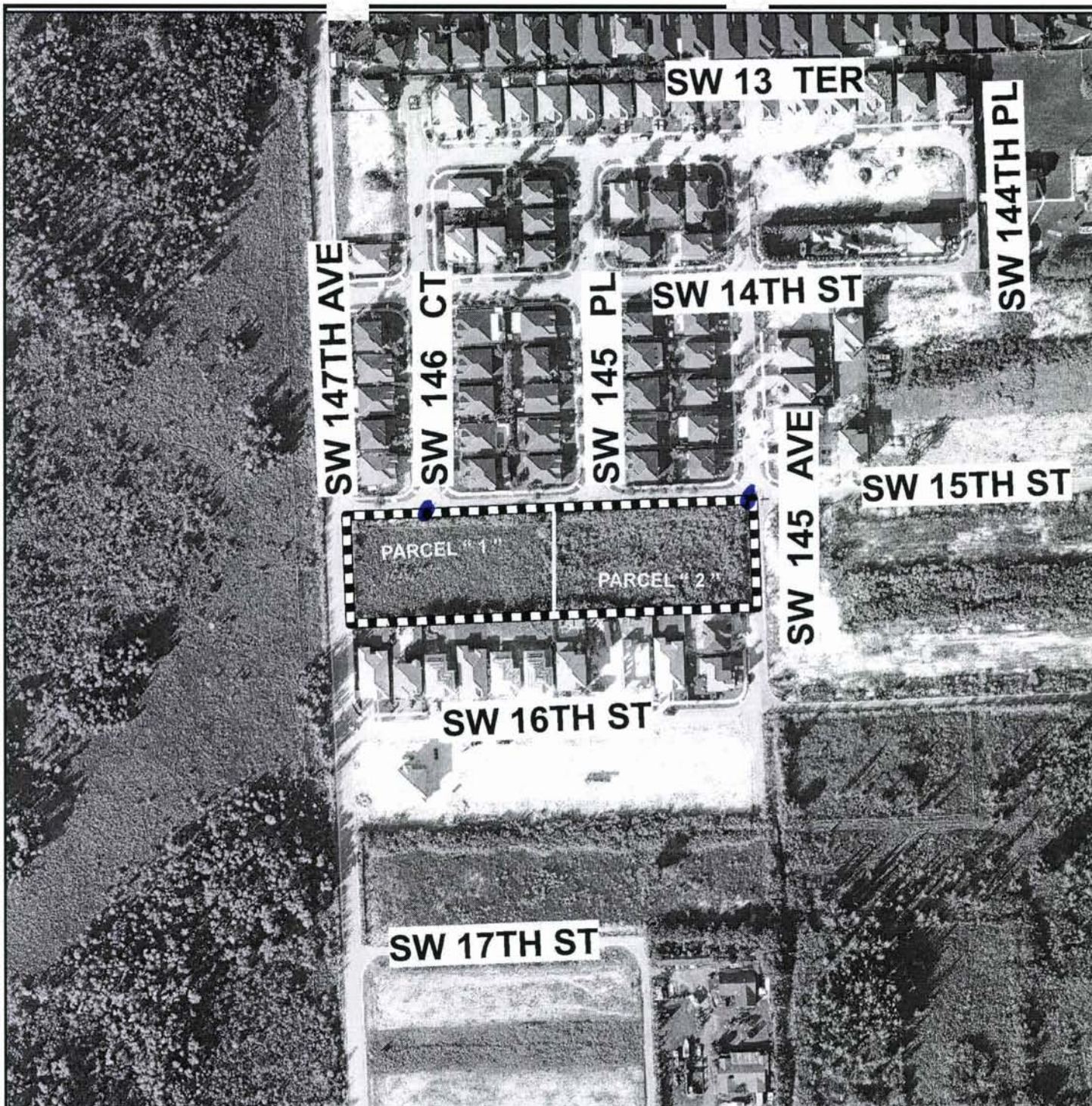
-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012


Process Number

**Z2012000085**



Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
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Legend

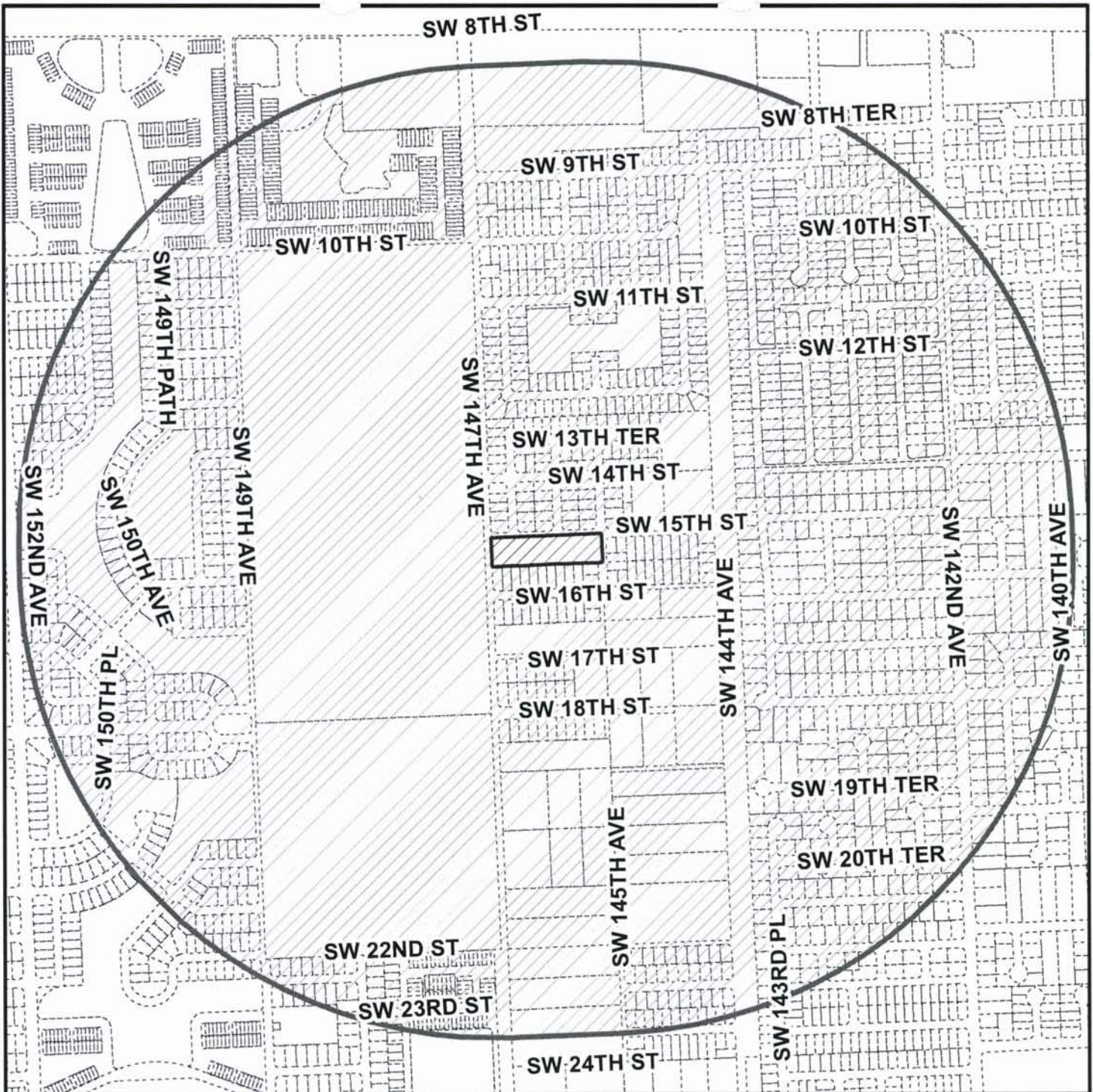
 Subject Property

**MIAMI-DADE  
COUNTY**

SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY







**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number  
**Z2012000085**  
RADIUS: 2640

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

**Legend**

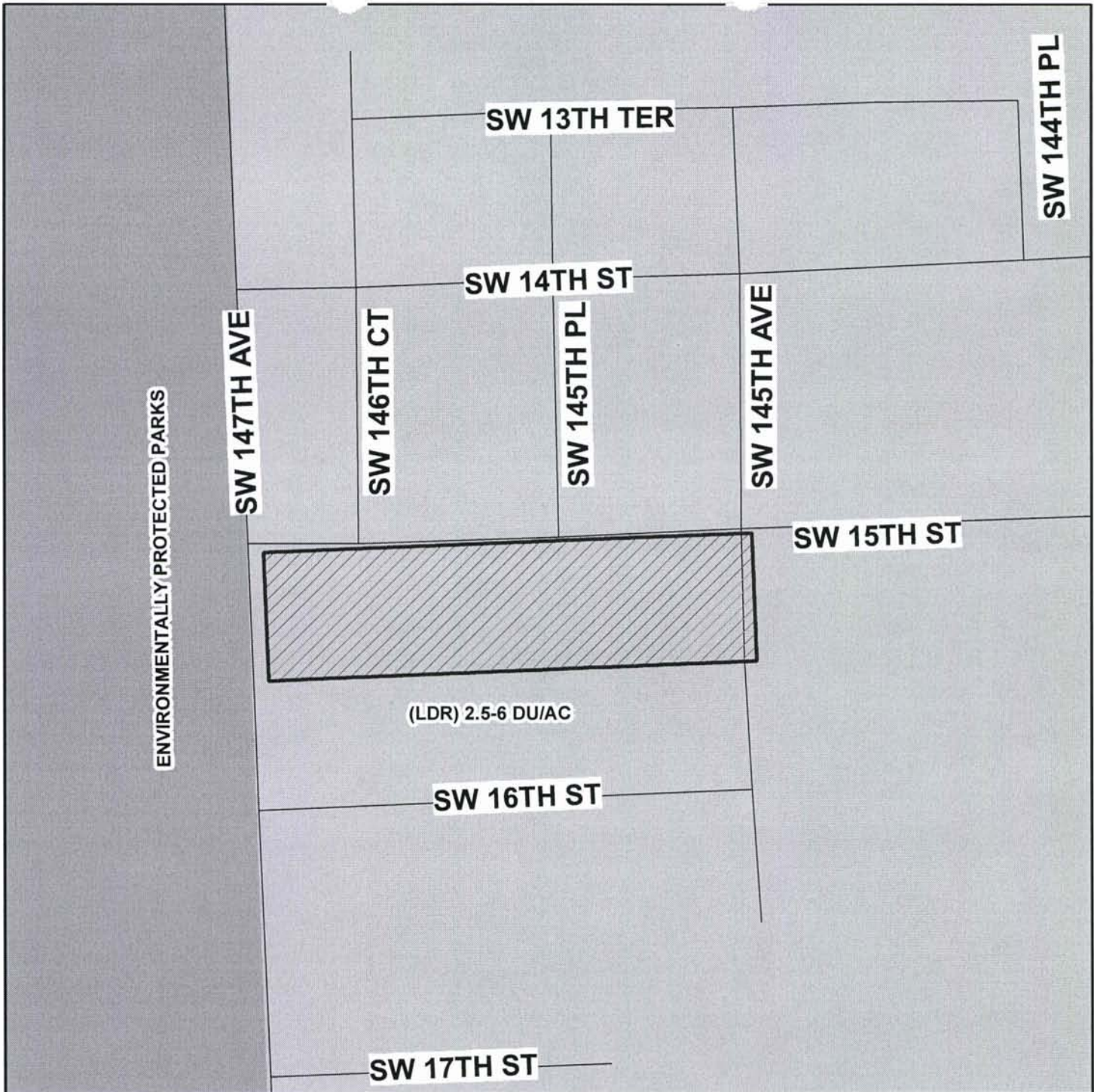
-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
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Scale: NTS



**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 27, 2012

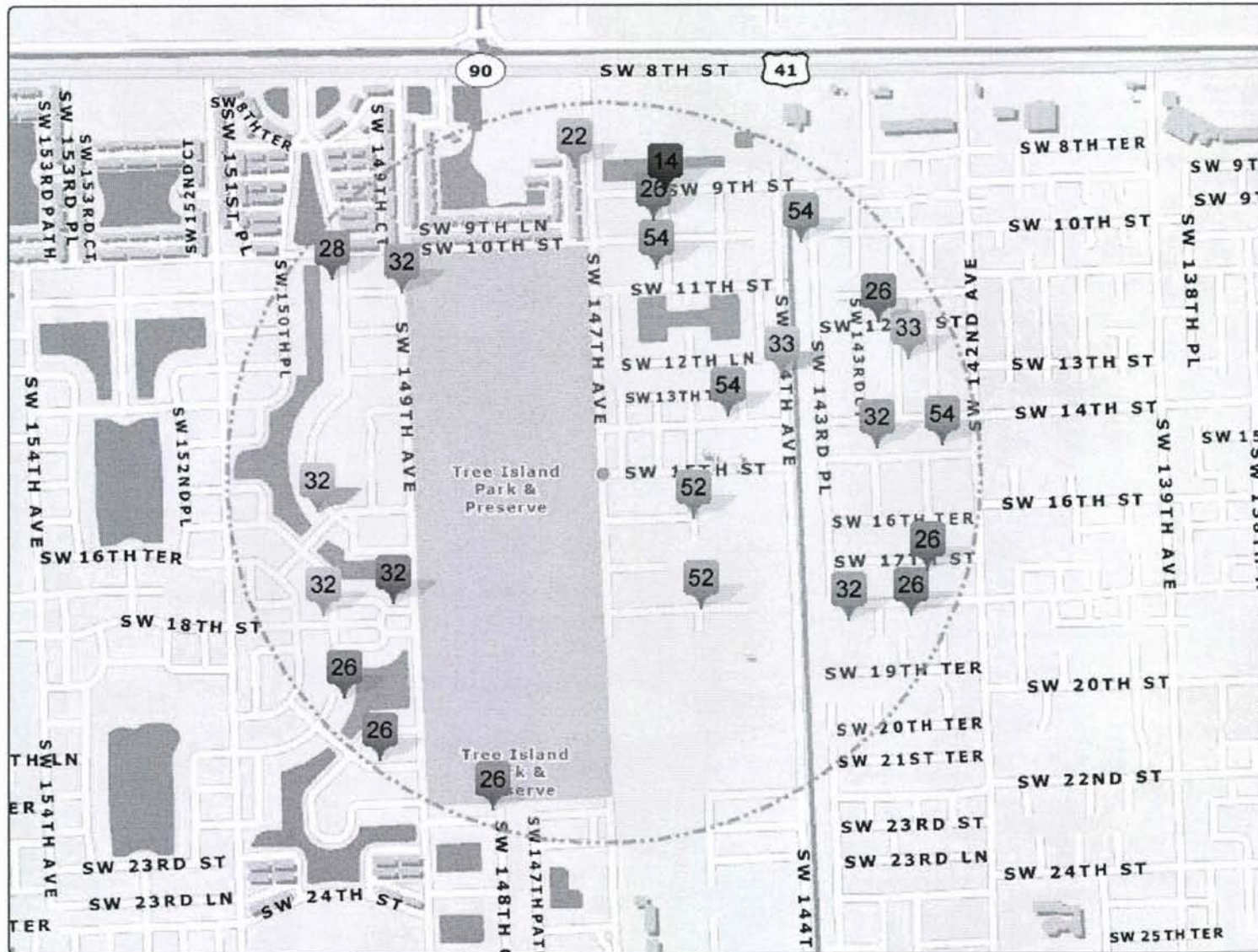
REVISION	DATE	BY



# OSCAR CASTILLA TRUSTEE

Z2012000085 2012 SELECTED CRIMES (JAN 1 - JULY 2) 0.5 MI

Miami-Dade Police Department



## Map Legend

CAS Incidents (27)

- 26R - Burglary Residential (7)
- 52 - Narcotics Investigation (5)
- 54 - Fraud (4)
- 32 - Assault (3)
- 32D - Domestic Assault (2)
- 33R - Sex Offense Rape (2)
- 22S - Auto Theft Stolen (1)
- 14 - Conduct Investigation (1)
- 28 - Vandalism (1)
- 32A - Aggravated Assault (1)

This map was prepared using Miami-Dade County's (MDC) Geographic Information System (GIS). As is the case with all public records information, the nature of the data and the collection processes limit the ability of any aggregator to independently validate data and content. Every effort has been made to ensure that the information represented is accurate, however, the results cannot be guaranteed. In order to ensure the accuracy of the information supplied by MDC, the requestor should consult the official government record. Based on these limitations, MDC is unable to guarantee the accuracy of the information represented. Employees or agents disclaim all warranties, expressed or implied, as to any matter whatsoever and shall not be responsible for any loss or damage that may directly or indirectly arise as the result of use of information contained in the County's GIS.

CrimeView Server  
Printed: 7/2/2012 4:32:57 PM



# Memorandum



244698

**Date:** September 26, 2012

**To:** Jack Osterholt, Deputy Mayor/Director  
Regulatory and Economic Resources Department

**From:** Jack Kardys, Director  
Parks, Recreation and Open Spaces Department

**Subject:** Blanket Concurrency Approval for Recreation and Open Space

This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS

# Memorandum



**Date:** September 28, 2012

**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources

**From:** Kathleen Woods-Richardson, Director  
Public Works and Waste Management Department

**Subject:** Solid Waste Disposal Concurrency Determination

A handwritten signature in black ink, reading "Kathleen Woods-Richardson", written over the "From:" line.

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

## Attachment

c: Paul Mauriello, Assistant Director, Operations  
Christopher Rose, Assistant Director, Administration  
Asok Ganguli, Assistant Director, Technical Services  
Michael Moore, Assistant Director, Disposal Operations

# Memorandum



Date: November 13, 2012

To: Jack Osterholt, Director/Deputy Mayor  
Department of Regulatory and Economic Resources

From: Ysela Llort, Director  
Miami-Dade Transit

Subject: FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT  
Monica D. Cejas, P.E., MDT  
Robert Pearsall, MDT  
Nilia Cartaya, MDT  
Mark R. Woerner, RER  
Helen A. Brown, RER



**Date:** September 5, 2012  
**To:** Jack Kardys, Director  
Park and Recreation Department  
**From:** Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources  
**Subject:** Blanket Concurrency Approval for Recreation and Open Space

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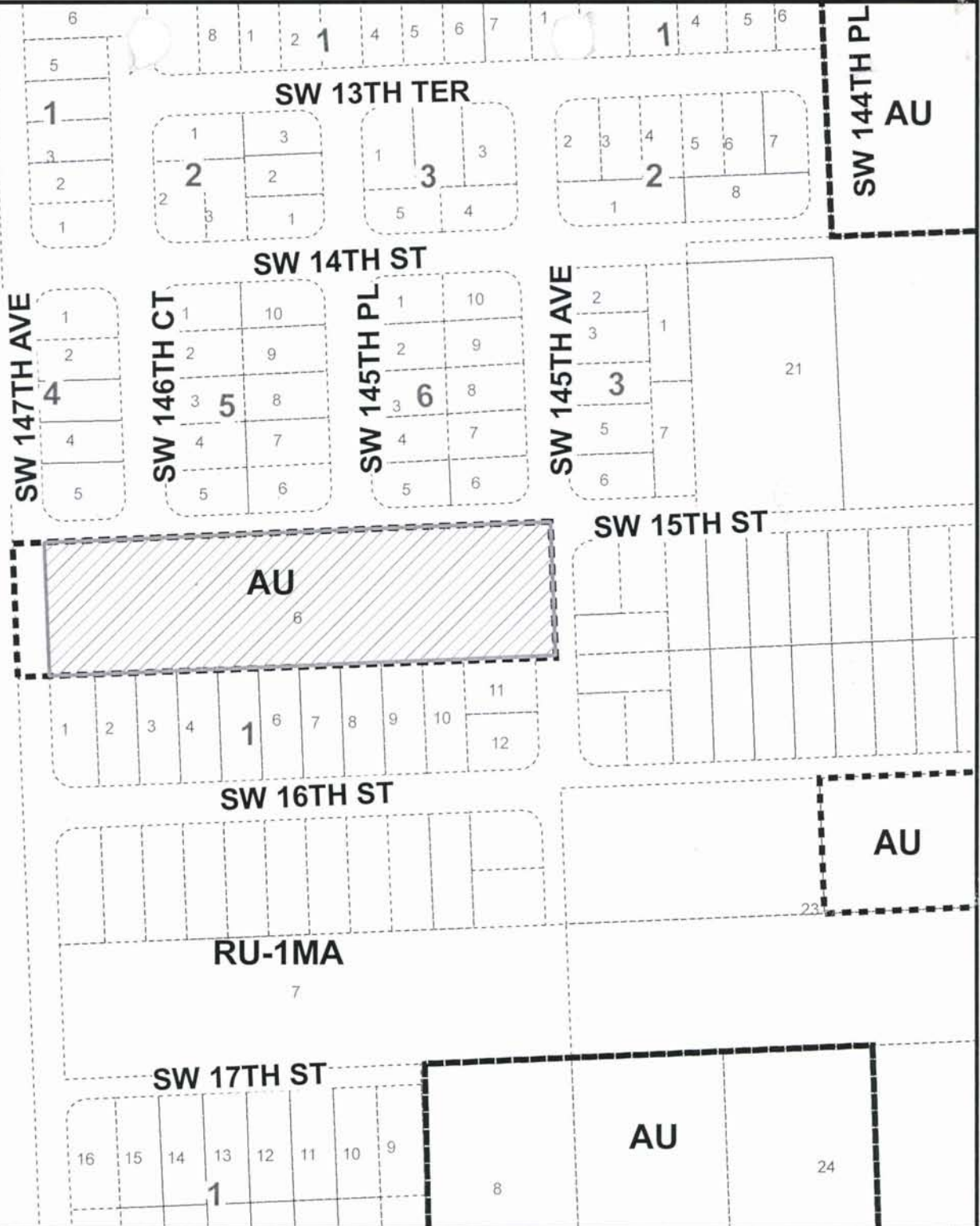
The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000085**

Section: 10 Township: 54 Range: 39  
 Applicant: OSCAR CASTILLA TRUSTEE  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

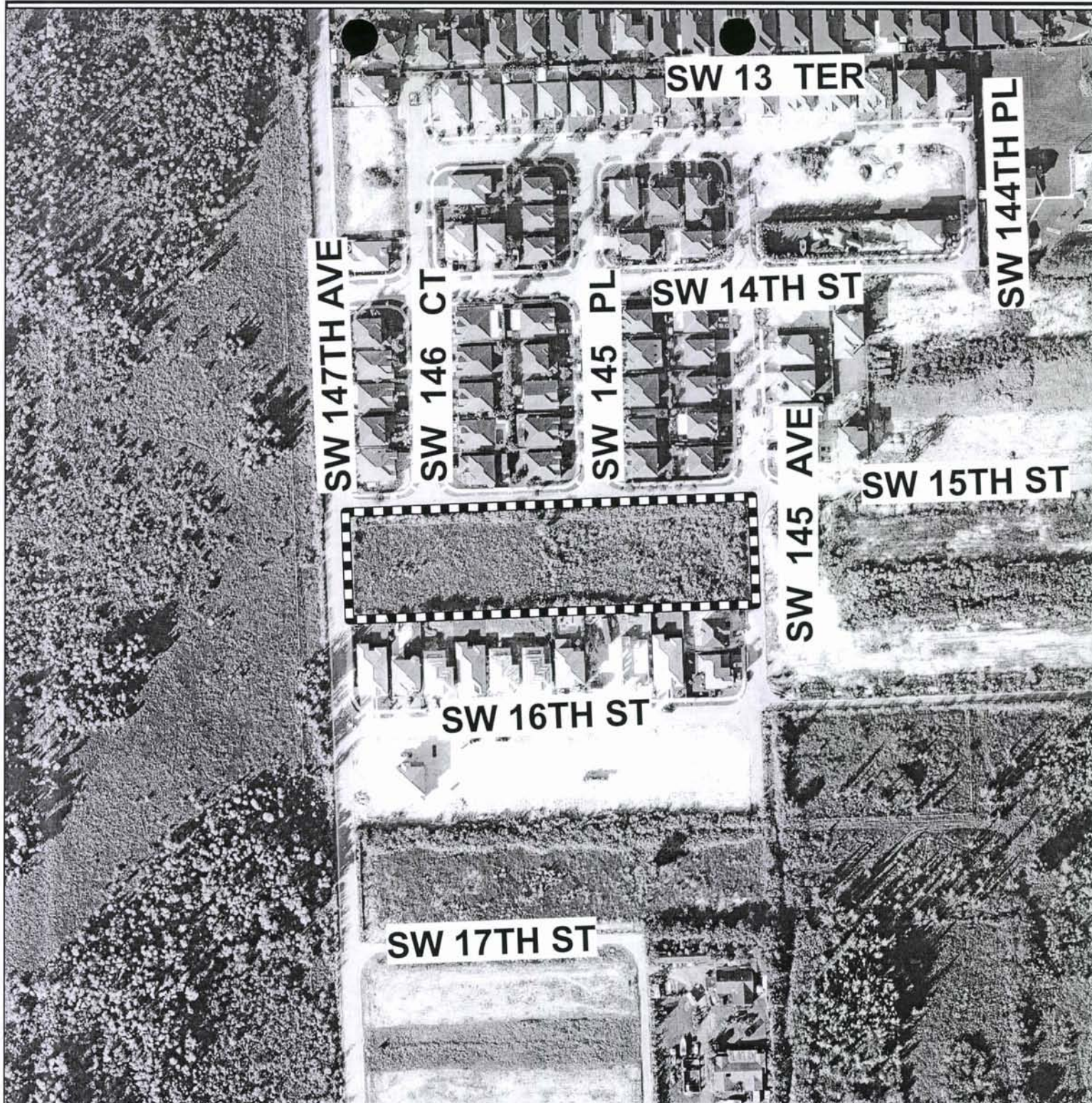
**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
AERIAL YEAR 2012

Process Number  
**Z2012000085**



Section: 10 Township: 54 Range: 39  
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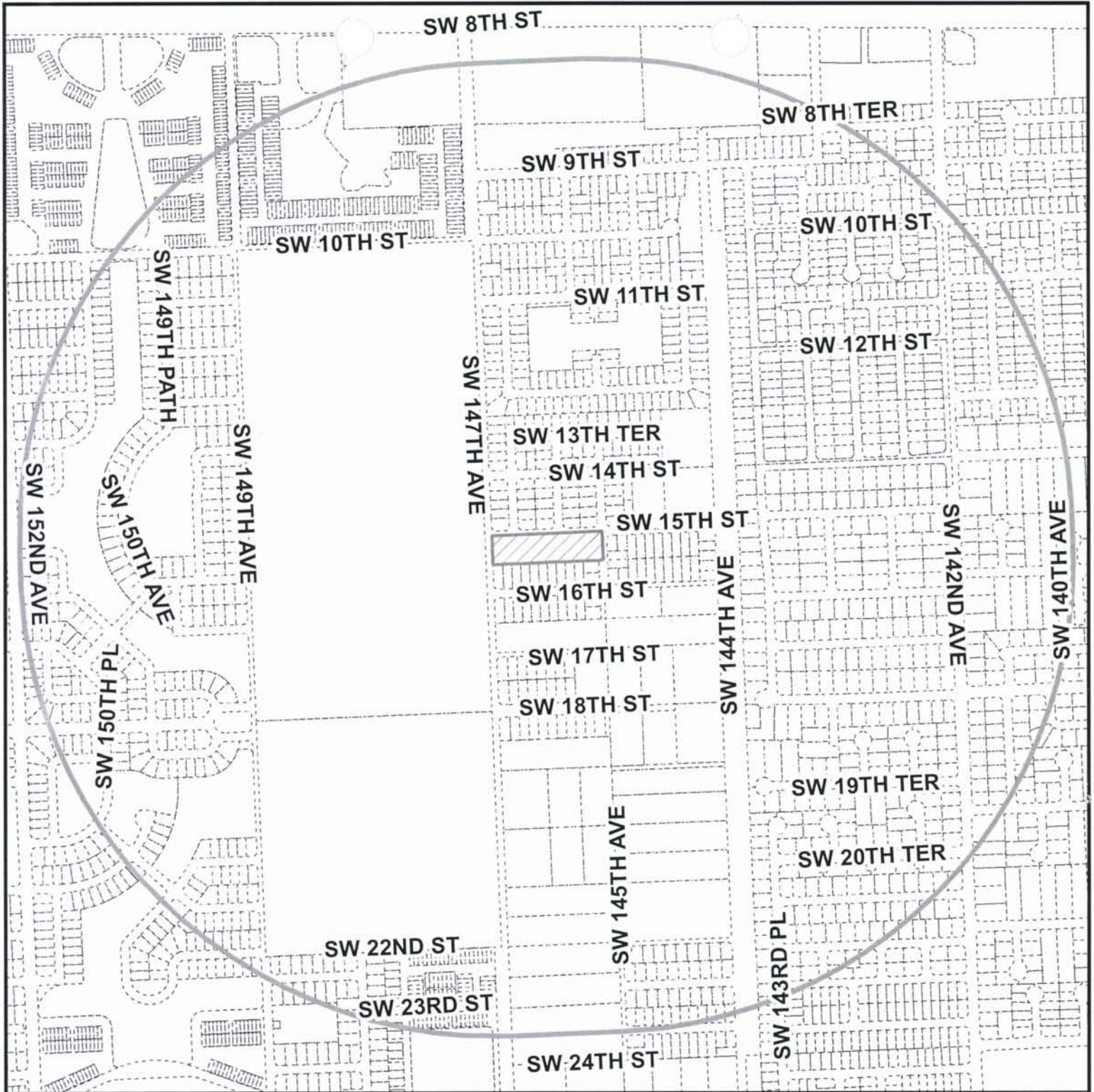
 Subject Property



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY







**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 10 Township: 54 Range: 39  
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 Scale: NTS

Process Number  
**Z2012000085**  
 RADIUS: 2640



**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 27, 2012

REVISION	DATE	BY

ENVIRONMENTALLY PROTECTED PARKS

SW 147TH AVE

SW 146TH CT

SW 13TH TER

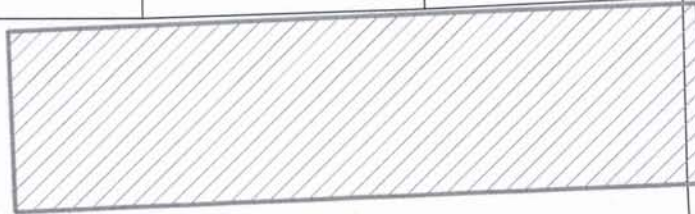
SW 14TH ST

SW 145TH PL

SW 145TH AVE

SW 144TH PL

SW 15TH ST



(LDR) 2.5-6 DU/AC

SW 16TH ST

SW 17TH ST

**MIAMI-DADE COUNTY**

**CDMP MAP**

Process Number

**Z2012000085**

Section: 10 Township: 54 Range: 39  
Applicant: OSCAR CASTILLA TRUSTEE  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

**Legend**

 Subject Property Case



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REVISION	DATE	BY